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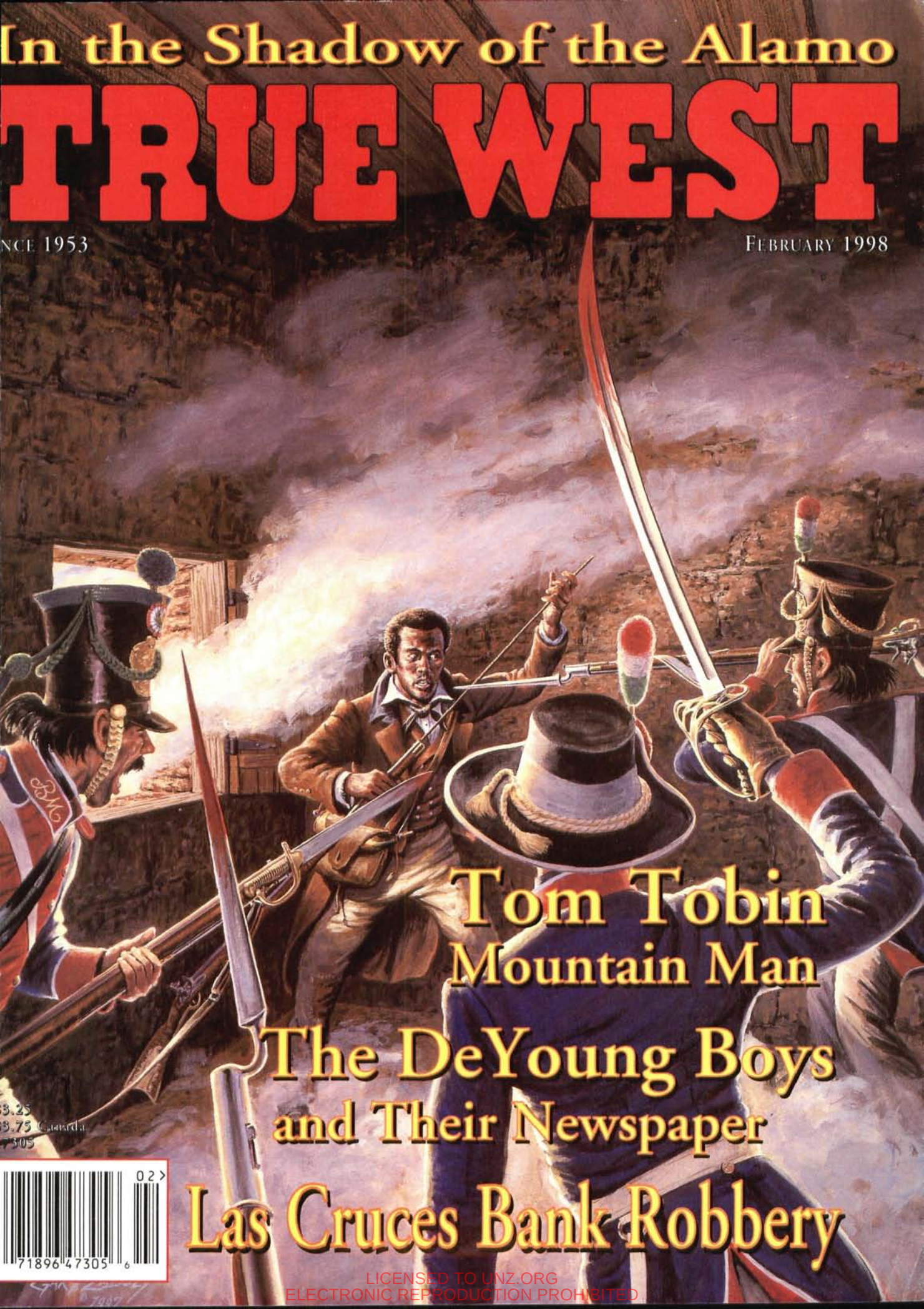

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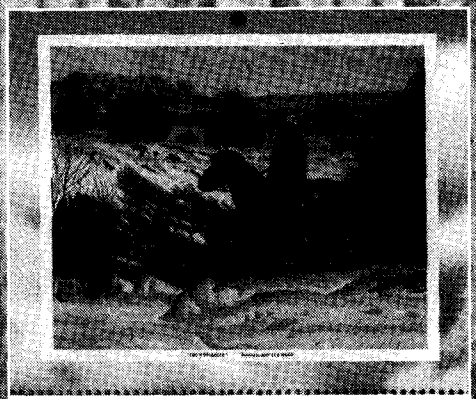

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TRUE WEST

February 1998
Vol. 45, No. 2
Whole No. 358

Our Cover

The Cornering of Travis' Joe, By Gary Zaboly.

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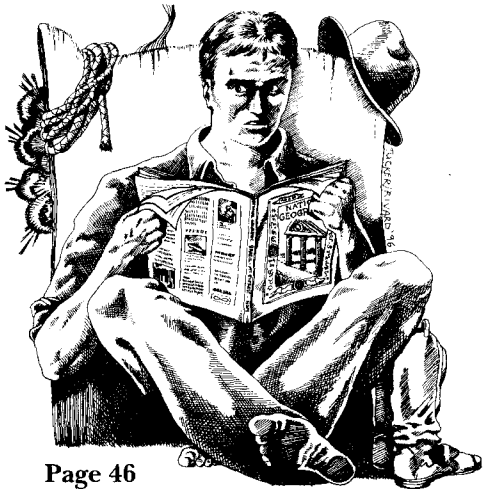

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Chuck Kennedy
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Steven K. Gragert
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FROM THE EDITOR

Howdy ya'll!

Seems like it wasn't that long ago that I was asking you to help our friends in need at the Columbus, New Mexico, library. Well, I'm fixing to ask again, same state, different cause.

Now, you know I wouldn't ask unless it was for a good reason, and I know it wouldn't be worth my time if I didn't already know that *True West* readers are some of the nicest folks in the world.

I received a letter recently from *John Ringo* author and legendary dry wit Dave Johnson, asking if I could pass along a bit of sad news from New Mexico's historic ghost town of Shakespeare. Now, if you've never heard of Shakespeare, let me take a minute to tell you about 'er.

Shakespeare, located just south of Lordsburg, was established in 1858 as an alternate watering stop for the Butterfield Overland Mail. Originally named Mexican Springs, the town was renamed for the Shakespeare Mining Company after diamonds were found in the vicinity in 1872.

Shakespeare became a popular haunt for the likes of Sandy King, Curly Bill Brocius, John Ringo, and many other area outlaws looking for a place to lay low. It was here that a man was killed over the last egg in town.

Shakespeare was acquired some years back by the Hill family, who have kept it open as a non-commercialized tourist attraction. The town has been one of the best maintained ghost towns in the West and has been enjoyed by tourists, old west aficionados, and film-makers for its authentic peek at days gone by. Unfortunately, all of that was threatened recently when disaster struck the town.

At about 1:30 on the afternoon of April 10, Janaloo Hill Hough and her husband, Manny, heard a loud roar and ran out to find the historic blacksmith shop engulfed in flames. Manny attempted to fight the fire with an extinguisher while the volunteer fire department rushed to the scene. The fire, fanned by the desert winds, was carried to the hay barn and general store, both of which were destroyed. All of the couple's personal possessions were lost, along with a complete library, antiques, photographs, and displays relating to Shakespeare's past. Mr. Hough suffered serious burns and Janaloo Hill was treated for smoke inhalation.

Manny and Janaloo are requesting books, magazines, and any materials relating to the history of Shakespeare so that they may restock their library and museum display and continue to inform tourists of the area's history.

I'll do what I can to round up some back issues of *True West* and *Old West* that contain Shakespeare material. I hope you'll do the same. Donations, materials, and letters of cheer may be sent to Shakespeare Ghost Town, PO Box 253, Lordsburg, NM 88045.

I hate to spend my whole editorial passing along bad news, but it looks like we lost another good one. I just got a note informing me that Nelson Nye died in Tucson, Arizona, on October 4.

Having never formally learned to type, Nye pecked out his stories one letter at a time, a process which he applied to over 1,000 western articles and 134 novels. He wrote many tales under the pseudonyms Clem Colt and Denver Drake, and sold over 50 million copies of his books.

Nye's first novel, *Two Fisted Cowpoke*, published in 1936, led the way for many of today's popular western writers. Along with his literary accomplishments, Nye was the founder and first president of Western Writers of America. The WWA's prestigious Spur award for western writing was twice won by Nelson Nye.

Marcus Huff

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THE CUSTER ISSUE

Superior December 1997 edition! The Custer pieces fill in a lot of "holes" from many other sources. At the end of "Custer's Two Burials," you mention "Custer's Funeral March" recorded by the California Gold Rush Band. Does anyone, by any chance, have information as to where this CD can be purchased or the name of the recording house that released it? I spend a lot of time exploring and studying the history of music of the West and this would be a super addition to a history discussion group I belong to.

Thank you much for your kind help.—*R.P. Jolly, Escondido, California.*

Really enjoyed the articles on Custer in the December issue, but I'm left wondering what happened to the clothing, guns, and personal effects the Indians removed from the soldiers after the final battle? Has anything surfaced anywhere? Also, were there other photos of the carnage that were taken other than S.J. Morrow's and where could they be found?—*Mark, via the Internet.*

Editor's Note: Artifacts from the Little Bighorn still surface now and then. One can only imagine the spoils that went to the victors; where they are today we may never know.

A fantastic source of information on artifacts recovered from the battle site and the forensic and photographic history of Custer's battlefield is *Archeological Perspectives on the Battle of Little Bighorn,* published in 1989 by the University of Oklahoma Press.

SADDLE PALS **By Graham Ward**

Cover to Cover

I've been reading the November issue of *True West.* I generally read each issue from cover to cover and hope to get this one finished tonight. As usual, it is superb and I wanted you to know that I think you are doing a great job. *True West* is the only magazine I read from cover to cover, and I would bet (if I were a betting man) *True West* has more readers reading it cover to cover than any other magazine.

On page 20 of the November issue, Sherry Monahan refers to Frank "Buckskin" Leslie. According to Billy King, et al, his real moniker is "Buckskin" Frank Leslie. This is small cheese, I realize, but history should be accurate and these things tend to persist and be passed down like some inherited disease.—*Bob James, Arlington, Texas.*

Editor's Note: I couldn't agree more, Bob. Thanks for "straightenin' the Buckskin."

Frank Freeman

Could there be some connection to the Frank Freeman mentioned in "John Larn's Bloody Trail Drive" (January 1997, *True West*), and the Frank Freeman who got killed in Lincoln County, New Mexico, six years later (according to Phil Rasch, etc.)?—*Johann Mattsson, Stockholm, Sweden.*

Editor's Note: I wish I could share Mr. Mattsson's entire letter, but I'm afraid we have limited space, so I'll focus on the Freeman question. A definite answer may be out of my sights, but I reckon I'll give 'er a shot .

When young Henry Comstock chronicled the John Larn trail drive of 1871, he mentioned a trigger-happy mystery man named Frank Freeman. Comstock gives no indica-

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tion of the age or background of Freeman, other than the fact that he wore a beard.

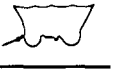
Five years later, a Frank Freeman, claiming to be from Alabama, appeared in Lincoln, New Mexico. Freeman shot a soldier from nearby Fort Stanton, and quickly retreated to the relative safety of Texas.

A year later Freeman, returned to the Lincoln area and shared a chunk of land on the Penasco River with Billy Mathews, land which was later sold to John Tunstall. During Freeman's stay in Lincoln, he and Charles Bowdre went on a tear and shot holes in buildings, dry goods, and even the McSween family sewing machine!

Pursued by Sheriff William Brady and a detachment from Fort Stanton, Freeman and Bowdre were finally surrounded at the Bowdre ranch around the second week of August 1877. Charlie waded down the river to safety; Frank caught a bullet and died on the spot. There seems to be no contemporary record of where he was buried. In what turned out to be a vicious circle, Bowdre was in attendance when a group of riflemen ambushed and murdered Brady in 1878.

It's *more* than possible that this Frank Freeman rode with Larn in 1871. Lincoln County was a familiar host to a small fraternity of badmen, including Jesse Evans, John Kinney, and John Larn's notorious associate, John Selman. Selman may in fact be the best overall connection to Larn, Freeman, and the troubles in Lincoln.

In the volumes of material written on the Lincoln County War, information on Frank Freeman amounts to only a few pages.



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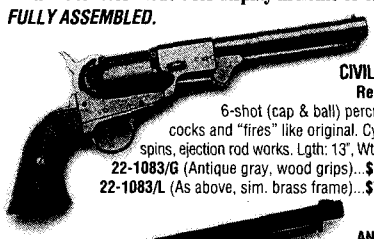

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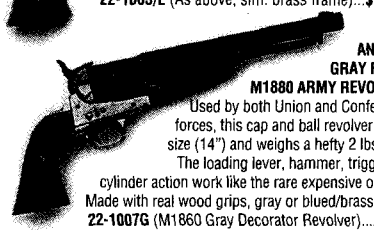

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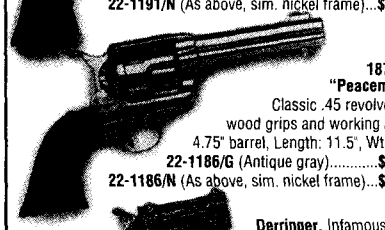

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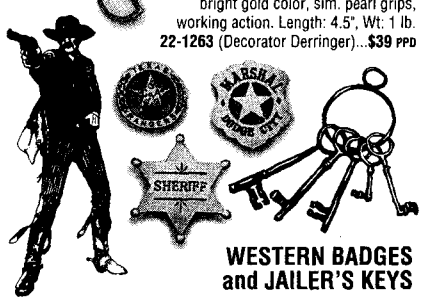

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BY ROSEMARIE COLOMBRARO

Like the ragged hem of an aging ball gown, Ruby puddles at the foot of Montana Peak in the Atascosa Mountains. Just a few miles north of the Mexico/Arizona border, the once booming mining town is pensive, living only in memories and in the sagging buildings that dot the dusty little valley.

Following a rugged track road south of Arivaca, a sign suddenly appears to the right: "No Trespassing—Survivors Will Be Prosecuted." The caretaker is there to greet us; the sole inhabitant of Ruby, he gives us a map of the town and warns us about dangerous vertical mine shafts. His dog hangs a hot, black head over the window glass, regarding us with casual eyes as his tail beats absent mindedly on the seat vinyl.

Born as Montana Camp in 1873, Ruby was home to a hard group of miners and prospectors living in tents, shacks, and makeshift homes while trying to eek out a living through the earth. Scatterings of lead, zinc, gold, and silver were

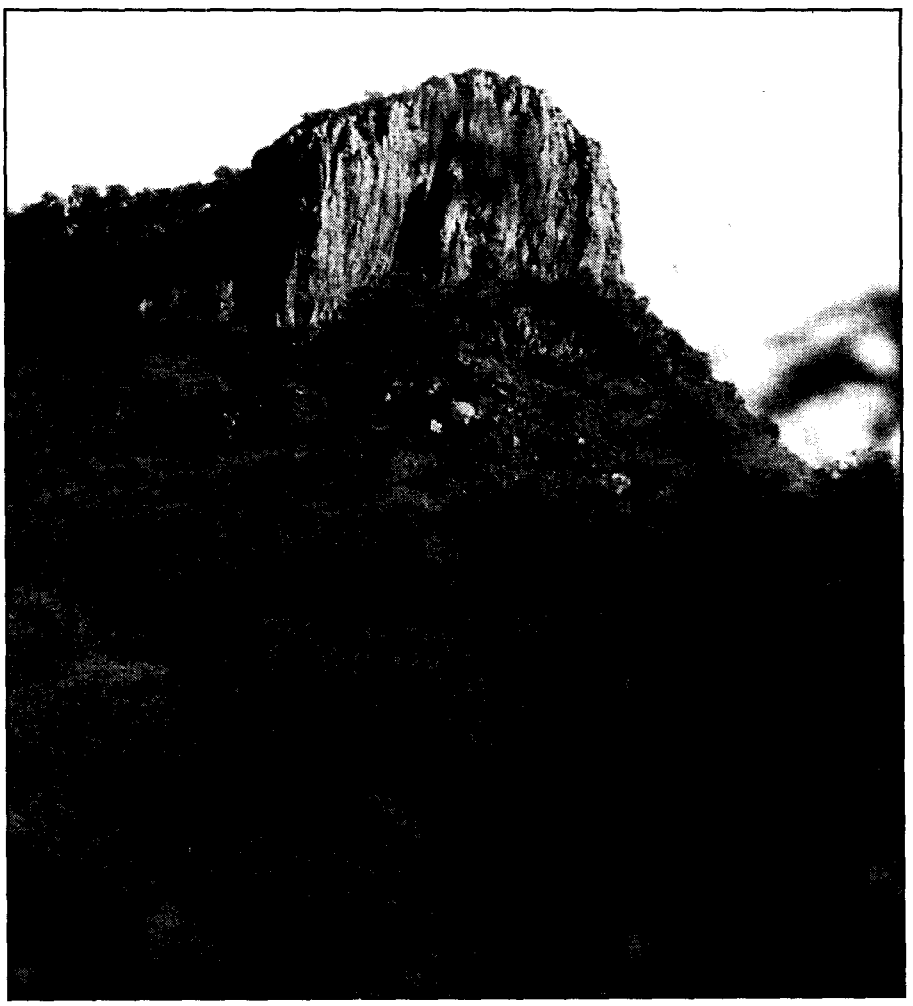

Photo by Rosemarie Colombraro

Montana Peak watches over the ghost town of Ruby, Arizona.

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available, but the remoteness of the site posed other problems. The nearest railroad line was about thirty miles to the east, and mules were the only form of transportation available to carry ore out of the valley.

In 1912, a post office was established in the general store, owned by Julius and Lily Andrews. The post office was named Ruby after Lily, whose maiden name was Ruby.

Ruby experienced a period of growth, ironically, during the Great Depression, and grew, at times, to a population of around 3,000. Homes were built, as well as a schoolhouse, a clinic, boarding house, and a jail. Many of these buildings, as well as the mining company's assay office, still remain, although dilapidated by time and vandals.

As mining tunnels were abandoned, they were used for other purposes, being cool and comfortable in the summer months. Gambling halls were created, with law officers stationed at the entrances because alcohol was forbidden. Bootleggers, however, used ventilation shafts to lower bottles down to the players, with someone in the tunnel collecting money for the drinks.

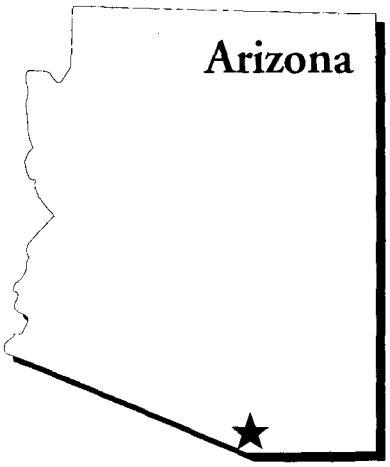
The Nogales Chamber of Commerce brought a road out in 1926, linking Nogales and Ruby in the hopes that some of Ruby's prosperity would trickle out. But the road was never paved, and today, more often than not, a four-wheel drive vehicle is needed to reach the ominous sign at the gate.

Larger mining operations began to leave town after extracting more than ten million dollars in ore from the area. Although there were a few mining operations still continuing, Ruby's post office was closed in 1941. The schoolhouse closed a few years later due to a lack of school-aged children, and Ruby eventually dried up. Buildings fell into disrepair, and the two ponds that dotted the valley's 300 acres, became watering holes for cattle and a few wild horses.

A rusted old slide and wooden teeter-totter stand in a weedy play area next to the schoolhouse. Nearby, miner's helmets and other paraphenalia hang in the locked jail cell; windowless, tiny and suffocating, a barred opening in the door is the only source of fresh air. A horseshoe hangs points up over the door of the boarding house—hung this way, it was believed the luck wouldn't be spilled out.

Clanging the gate shut behind us, the caretaker waves goodbye, and his pickup truck pitches up dirt and stones as it lurches back down toward the old town. His leaving is the only sound, other than a few low bellows of cattle and a raspy call from a hawk far above. The black face of the dog sticks out from the passenger side of the truck, still watching us, his tongue a wet pink ribbon in the distance.

Now privately owned by The Ruby Mines Corporation, there is a gleam of hope. A Heritage Fund grant was recently used to stabilize some of the buildings. The owners are hoping to continue restoration and create a center for ecological research.

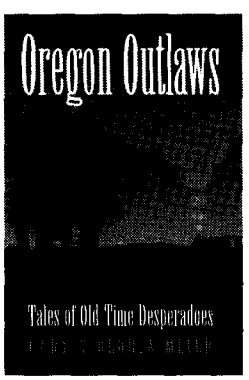


The old ragged hem may be straightened and cleaned, and after years of being a wallflower, Ruby might just dance again.

Ruby can be visited by calling (520) 744-4471 for reservations. Entry fees are $12 per person per day; group rates are available. Fishing entries are $17.50 per person per day with group rates available.

GARY & GLORIA MEIER

Oregon Outlaws



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Pat Garrett and the Las Cruces Bank Robbery

At the time of the Las Cruces, New Mexico, bank robbery in 1900, Dona Ana County Sheriff Pat Garrett had been a lawman off and on for twenty years in a career that had its share of successes and disappointments. The forty-nine-year-old New Mexico sheriff was still famous for breaking up Billy the Kid's cattle rustling activities in 1880 and for shooting the young outlaw to death in 1881 when Garrett was sheriff of Lincoln County. He was more recently known for failing to secure the convictions of those he had arrested for the murders of Albert Jennings Fountain, a prominent Dona Ana County citizen, and his nine-year-old son, Henry. The Las Cruces bank robbery, however, challenged Garrett's talents as a law enforcement officer and tested his skills as a detective almost as much as did those of his more famous cases.

On February 12, 1900, at 2:00 PM, two cowboys rode slowly into Las Cruces' main thoroughfare from a side street. They guided their light-colored horses toward the George D. Bowman and Son's bank. Because they were strangers to the town no one recognized them and they drew little attention. The horsemen rode up to the bank, unhurriedly dismounted from their horses, looped their reins over the hitchrack bar, and calmly walked through the door into the bank's lobby. They were not masked, and nothing seemed amiss.

The cowboys approached Bank Cashier J.G. Freeman, the only other person in the bank, and asked him to cash a check. Freeman asked to see the document, and while he was distracted by it the cowboys

Author's Collection

Dona Ana County Sheriff Patrick Floyd Garrett.

By Harold L. Edwards

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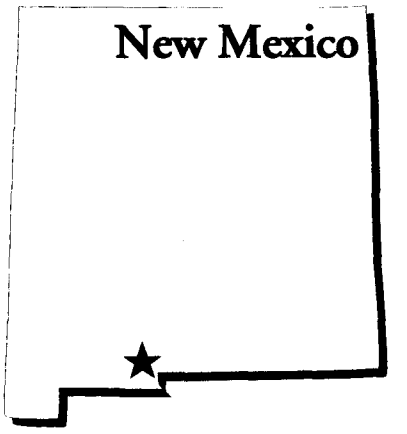
drew their revolvers and confronted him, stating they were there to rob the bank. The astonished Freeman asked them if they meant what they said, and the bandits assured Freeman that their intentions were sincere. Freeman replied that the bandits "couldn't get away with robbing the bank as there were too many people on the streets." The robbers ignored his remark and emptied the cash drawer and looted the safe. Carrying their ill-gotten gains, they calmly walked from the bank, remounted their horses, and slowly rode down the street. At the first street corner they wheeled to the east and rode from Freeman's sight. The robbery went smoothly and took only a few minutes.

As soon as the bandits were out of his sight, cashier Freeman ran to the nearby land office where banker George Bowman was conversing with the land agent, a man named Solignac. The excited cashier informed Bowman that his bank had just been robbed and that the robbers were still riding out of town. Solignac grabbed his pistol and the three men ran to the point where Freeman last observed the bandits. The bandits were leisurely riding toward the outskirts of town but they were out of the shooting range of Solignac's pistol. In order to draw attention to the robbery, Solignac fired his revolver into the air. At the sound of the shot, or shots, the bandits looked back. They saw that the robbery had been discovered by the town and they put spurs to their horses. They left town at a gallop and headed east for the Organ Mountains.

Within minutes after the robbery occurred, Sheriff Garrett was advised of the holdup and where the bandits were last seen. The situation seemed simple enough to Garrett. He believed the bandits were fleeing into the Organ Mountains, and with luck he could intercept them in Soledad Canyon. Garrett quickly organized a posse of several men and rode for the mountains; however, the sheriff missed his guess and luck failed him. He didn't know the outlaws had taken another route into the hills. Garrett and his men returned to Las Cruces to rest, refit, and remount for an extended chase after the robbers.

Early the next morning, Garrett and a posse followed the bandits' trail out of Las Cruces. The tracks were those of two horses which had been hard-ridden. The trail led in the direction of Organ, a village located about ten miles northeast of Las Cruces at the foot of San Agustin Pass. Before reaching Organ, the lawmen found a saddle, bridle, and an old coat in the trail. Nearby, they saw a horse which showed signs of exhaustion. Garrett was certain that the horse had been ridden by one of the robbers and had been abandoned when it became too tired to travel. The sheriff also believed that at the moment the two bandits were riding one horse and would be traveling slower. Pressed by the urgency of the pursuit, Garrett and his possemen rode on, leaving the abandoned horse and the other items behind.

The posse rode into Organ where Garrett saw Will Cravens. Garrett was personally acquainted with



Cravens as the cowboy was well-known in Dona Ana and Otero counties. Cravens' parents ranged cattle in Otero County, formerly part of Dona Ana County, and they were neighbors of A.P. Rhode, Oliver Lee, and W.W. Cox, all of whom were well-known cattlemen in that section of New Mexico. Garrett deputized Cravens and handed his new, unarmed deputy a revolver. Garrett then instructed him and posseman George Conners to backtrack the trail of the posse and collect the abandoned horse and the other items for evidence in the case.

Museum of New Mexico Neg. #14586

Las Cruces, New Mexico, at the time of the George D. Bowman and Son's Bank robbery.

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The sheriff and the remaining possemen rode on and followed the tracks of the single horse into the Organ Mountains.

Garrett and his posse eventually lost the bandits' tracks in the mountains, but while they were looking around to rediscover the trail they found a camp. C.B. Langford and two brothers named Shockley were in the camp, and they were arrested by Garrett for bank robbery. None of their horses, however, matched the descriptions of those used by the bandits, and none of the money taken in the holdup was recovered by the arrests.

In the meantime, Deputy Sheriff Ben Williams and James Isaacs followed the bandits' trail, and those of Garrett's posse, from Las Cruces and discovered the abandoned horse, saddle, bridle, and old coat. Williams was sure that the horse and equipment had been used by the robbers in the holdup. He took the horse and items into custody as evidence and Isaacs returned to Las Cruces with them.

Deputy Williams thought he recognized the saddle as one owned by A.P. "Print" Rhode and he rode to the Rhode ranch to question Print about it. Rhode was twenty-nine at the time, and he and his twenty-three-year-old wife and young daughters lived near the Organ Mountains. Print Rhode informed Deputy Williams that some years before Rhode sold a saddle to William Wilson, who was employed in a mine in northern Dona Ana County. Rhode went on to say he knew Wilson for eight years and that recently Wilson and a man named Oscar Wilbur came through the country on their way to Mexico and stayed one night with him.

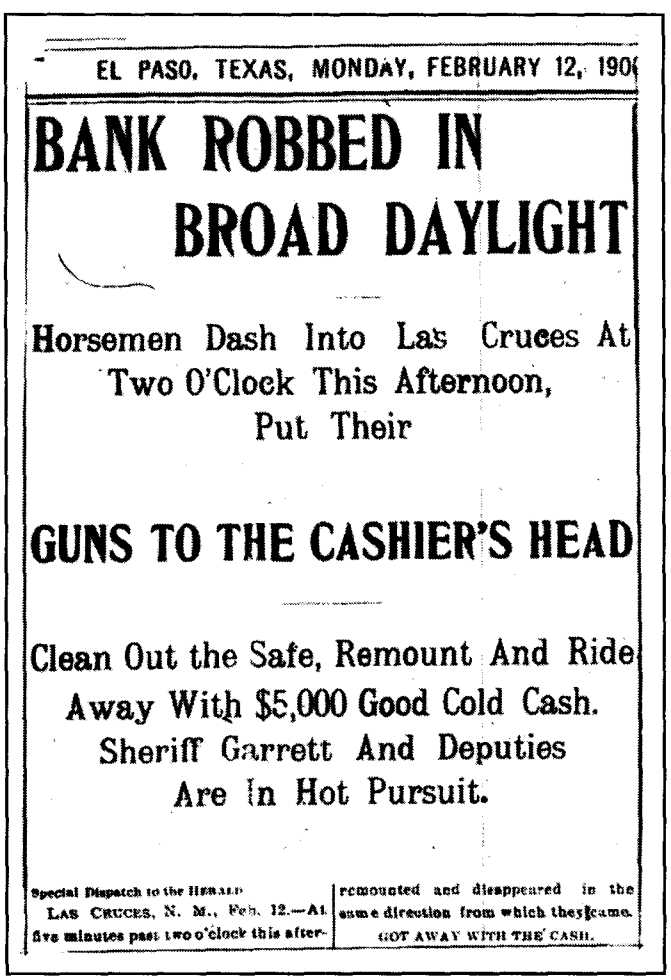
Rhode said that he doubted if he could now identify the saddle that he had sold to Wilson. When pressed by Deputy Williams about the Las Cruces bank robbery, Rhode denied any knowledge of it. The lawman was unconvinced by Rhode' statements and believed the rancher had furnished the bandits with at least one of the horses used in the robbery. He arrested Print Rhode for accessory to robbery.

Within hours, the officers determined that the abandoned horse belonged to W.B. Murphy, a Las Cruces merchant and reputable citizen. Murphy informed the lawmen that earlier he had asked Will Cravens to find the horse on the range and "bring it in" to Las Cruces. However, Cravens never arrived with the horse, and Murphy couldn't explain what his exhausted horse was doing on the bandits' trail. This information was passed to Garrett, who, in the meantime, had arrested three more men he found in the mountains for the robbery. Again, as before, the horses of his additional prisoners didn't match the descriptions of the horses the robbers had used in the holdup. Also, none of the money taken in the bank robbery was recovered by Garrett's additional arrests.

On February 14, 1900, Deputy Williams and James Isaacs again followed the bandits' trail from Las Cruces. While in the Organ Mountains they found a second abandoned horse. They also found some bank books and papers that were taken in the robbery. Williams and Isaacs took the horse and bank documents into Las Cruces and logged them as evidence for the case.

Later that evening, Will Cravens and George Conners reported to Garrett that they were unable to reclaim the abandoned horse near Organ as he had ordered. By this time Garrett knew about the ownership of the horse and Murphy's statement implicating Will Cravens. Garrett pointedly asked Cravens if he had "roped the horse" on the range earlier. Cravens denied that he had caught the horse, but the sheriff persisted with the question. Finally, Cravens admitted that he had caught the horse but immediately turned it loose instead of delivering it to Murphy as requested. Garrett believed that Cravens did not turn the horse loose but, through Print Rhode, furnished the mount to the bank bandits to use in the robbery. Cravens denied any involvement in the robbery, but Garrett arrested him as an accessory to the crime.

At this point Garrett found himself in a dilemma. He had arrested



EL PASO, TEXAS, MONDAY, FEBRUARY 12, 190

BANK ROBBED IN BROAD DAYLIGHT

Horsemen Dash Into Las Cruces At Two O'Clock This Afternoon, Put Their

GUNS TO THE CASHIER'S HEAD

Clean Out the Safe, Remount And Ride Away With $5,000 Good Cold Cash. Sheriff Garrett And Deputies Are In Hot Pursuit.

Special Dispatch to the HERALD
LAS CRUCES, N. M., Feb. 12.—At five minutes past two o'clock this afternoon

remounted and disappeared in the same direction from which they came.
GOT AWAY WITH THE CASH.

Author's Collection

The Las Cruces bank robbery made headline news in the February 12, 1900, *El Paso Times*.

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six men for the robbery which had been accomplished by two men. No one could identify any of the six men as the actual bandits, and all six men had plausible reasons for being in the Organ Mountains when arrested. They denied any involvement in the bank robbery, but Garrett was forced to release them from jail because he had no evidence connecting them to the holdup. Further, no one could identify the horses Garrett held as evidence as those the bandits used in the robbery.

Garrett held Rhode and Cravens in jail as accessories to the robbery, and he believed them guilty. He also still believed the abandoned horses were used in the robbery. Although the sheriff's office had recovered some bank books and papers taken by the bandits in the robbery, Garrett had recovered none of the stolen money. The names "William Wilson" and "Oscar Wilbur" that Print Rhode revealed meant nothing to Garrett. He didn't know if they were involved in the holdup, if they were innocent travelers, or only the figments of Rhode' imagination. He had no hard clues as to the identities of the bank bandits and at this point, figuratively speaking, he had no place to turn. The elusive case was sliding between his fingers. At this crucial moment, however, Lady Luck smiled on the frustrated lawman and probably solved the case for him.

For some months prior to the Las Cruces bank robbery, James Brooks and his wife operated a small rooming house at Hanover in Grant County, New Mexico, which was about sixty miles northwest of Las Cruces. Brooks, who saved his money by not paying his bills, sent his wife to Cochise County, Arizona, by train. A few days later, he stole a horse and saddle and rode into Arizona to join her. The couple, however, were located in Arizona and Brooks was arrested for the theft of the horse and saddle in New Mexico. He was returned to Silver City to stand trial for the thefts.

New Mexico State Archives

James Brooks on his entry into New Mexico's territorial prison on a conviction unrelated to the Las Cruces bank robbery.

While enroute back to Silver City, Brooks told the officer accompanying him, Grant County Deputy Sheriff James R. Blair, an interesting story. Brooks informed Blair that while he, Brooks, was in Arizona two men he had known in New Mexico came to see him. They asked Brooks if he would assist them in robbing the Bowman and Son's bank in Las Cruces. According to Brooks, he forcefully rejected their proposal and they left. Shortly after that meeting, again according to Brooks, the bank in Las Cruces was robbed. The names of the mysterious visitors to Brooks were William Wilson and Oscar Wilbur.

As soon as he arrived in Silver City with his prisoner, Deputy Blair forwarded Brooks' information to Sheriff Garrett. Garrett now had a connecting link in the case. He had two names that could be those of the bank bandits, and those same names were connected to Print Rhode, whom Garrett was convinced supplied the horses the bandits used in the robbery. He felt that Wilson and Wilbur deserved further attention, and he sent Deputy Ben Williams to Grant County to learn more about them.

While he was in Grant County, Williams found that Wilson had a tough reputation. In 1898 he had been connected to a murder there, but due to lack of evidence he didn't stand trial for the killing. Wilson and Wilbur were known to be associates in Grant County but they were not there at the moment. Williams learned that they had recently left the area for Mexico. Wilbur owned a home in San Antonio, Texas. Garrett dispatched Deputy Williams to San Antonio in hopes of finding Wilbur there. If Wilbur was found in Texas, the lawman was to arrest him for the Las Cruces bank robbery.

After he arrived in San Antonio, Williams learned that Wilbur owned a home at 916 Zavala Street and that he had just paid off a loan against it with cash. Further, Wilbur was currently residing in the home with his wife and daughter. Williams shaved his mustache to disguise himself and rented a room in the house across the street from the Wilbur home in order to keep his suspect under surveillance. Almost immediately, Williams saw that William Wilson was also living in the Wilbur home. He secured the assistance of San Antonio Deputy Will Green to arrest both men.

While they watched the Wilbur house from across the street, Williams and Green saw Wilson and

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Wilbur leave the home and walk up the street. The officers followed the two men, and when they drew close to them Williams called, "Hello there, Billy Wilson!"

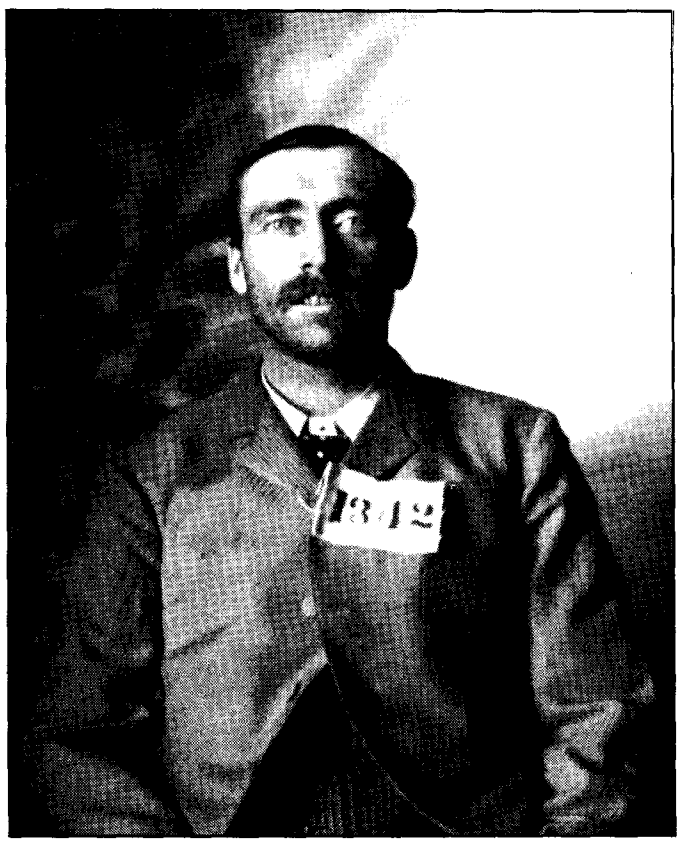
Wilson and Wilbur, surprised, turned and faced the officers. Wilson replied: "You have me there. I don't know you." At this point, Deputy Williams advised Wilson and Wilbur that they were under arrest for the bank robbery in New Mexico. The suspects reached for their pistols, but the officers had anticipated this move and beat them to the draw. Wilson and Wilbur faced instant death if they moved, and they surrendered without further resistance. They were transported back to Las Cruces to stand trial on charges of bank robbery.

At the time of their arrests, and during the time they were in transit to New Mexico, Wilson and Wilbur denied any knowledge or involvement in the Las Cruces bank robbery. However, once in the Las Cruces jail, Oscar Wibur turned evidence for the territory. He admitted his part in the robbery. He informed the officers and court prosecutors the initial plan to rob the bank was developed in Grant County between he, Wilson, and James Brooks. An argument, however, ensued between Brooks and the other two men over the leadership of the expedition and Brooks withdrew from the scheme.

According to Wilbur, he and Wilson rode into Dona Ana County to the ranch of Print Rhode, whom Wilson had known before. They stayed the night with Rhode, and during this time they discussed the robbery plans with Rhode. Rhode, according to Wilbur, agreed to furnish them horses to use in the robbery. Early the next morning Wilbur and Wilson rode on into the Organ Mountains where they made camp.

Wilbur went on to say that several days later Print Rhode and Will Cravens rode into camp leading two horses to use in the robbery. Rhode soon left the camp to return to his home, but Cravens remained behind to help Wilbur and Wilson with the robbery. The plan called for Cravens to wait just outside of Las Cruces during the holdup, and if pursuit was close during the getaway, he was to lead the pursuers "off the trail." However, as the three men rode toward Las Cruces to hold up the bank, they were met on the road near Organ by Juan Carboneer who claimed ownership of the horse Wilson was riding. Carboneer demanded the return of his horse, then and there. Wilson, apparently wishing to avoid trouble, surrendered the horse to its owner. Wilson and Wilbur returned to their camp on one horse and Cravens returned to his home.

According to Wilbur, on February 11, 1900, Print Rhode rode into the camp leading, two more horses. The rancher soon left the camp, and Wilbur and Wilson rode the horses Rhode left them into Las Cruces, where they spent the night. The following afternoon they robbed the bank in Las Cruces and rode for the Organ Mountains. When near the village of Organ,



New Mexico State Archives

William Wilson (left) upon his entry into the New Mexico territorial prison after conviction for robbing the Las Cruces bank. Oscar Wilbur (right) received a lesser sentence and a pardon for providing evidence in the case.

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one of the horses "gave out," and it was abandoned, along with a saddle, bridle, and old coat. The two outlaws rode to their camp on the remaining horse, which was soon turned loose.

Wilbur said that two days after the bank robbery, Rhode and Cravens rode into the camp. Each of them was paid $100 from the robbery proceeds, which totalled $1,136. As soon as Rhode and Cravens left the camp, Wilbur and Wilson made their way to El Paso. From there, they traveled through northeastern Mexico and reentered the United States at Eagle Pass, Texas. They went on to the Wilbur home in San Antonio. Although it wasn't reported that Wilbur said so, their trip from El Paso to San Antonio was probably made by train.

William Wilson continued to deny his part in the bank robbery until he was identified as one of the bandits by cashier Freeman. He then admitted his guilt, but he didn't give further details. Rhode and Cravens continued to deny involvement in the robbery. Nonetheless, Sheriff Garrett and prosecutors W.H.H. Llewellyn and Herbert H. Holt felt the pieces of evidence fit together enough to secure convictions, and on April 20, 1900, Judge Frank W. Parker opened court on the cases of Wilbur and Wilson, who were charged with bank robbery. Both defendants pleaded guilty to the charges. Judge Parker, however, delayed their sentences until later. He then started the joint trial for Rhode and Cravens, who were charged with accessories to the robbery. Both men pleaded not guilty to the charges. They were represented by attorneys Albert B. Fall, who would later, as United States secretary of the interior, be criminally involved in the infamous Teapot Dome scandal, and Joseph Franklin of El Paso.

Oscar Wilbur testified for the prosecution. His testimony was the same as the statement he gave earlier to the officers. The defense team tried to discredit his testimony by emphasizing that he had turned "state's evidence" in order to lessen his court sentence in the matter. Thereafter, a number of witnesses, including cashier Freeman, Pat Garrett, Ben Williams, and George Conners testified in support of Wilbur's statements and to other particulars of the case.

William Wilson testified for the defense. His testimony agreed with that of Wilbur in some points; however, he denied emphatically that he and Wilbur ever discussed robbery plans with Rhode and Cravens. He testified that Rhode and Cravens had absolutely nothing to do with the robbery. He admitted that he had known Rhode for some eight years and had stayed one night at his ranch prior to the robbery but that was as far as the association went.

Rhode took the witness stand and said that he had known Wilson for eight years, and that he had once sold a saddle to him. He also admitted that recently Wilson and Wilbur had stayed the night with him at his ranch. At the time, Wilson told him that he and Wilbur were going to Mexico. Rhode denied any knowledge of the robbery or that he had furnished Wilson and Wilbur horses for the enterprise.

Cravens also testified for the defense. He also denied any involvement in the robbery or any prior knowledge that it was to happen. He admitted that he knew Wilson from prior association but the first time he saw Wilbur was when they were in jail together. He also admitted that he had caught Murphy's horse on the range as requested by Murphy and had lied when questioned about it by Garrett. He insisted that he released the horse after he caught it, and the reason he lied to Garrett was he believed an admission on his part would implicate him in the bank robbery.

Several other witnesses testified for the defense. Due to the conflicting statements from Wilson and Wilbur regarding the guilt of Rhode and Cravens, and perhaps weak testimony from other witnesses, the jury took only a few minutes to find the defendants not guilty.

Judge Parker then sentenced William Wilson and Oscar Wilbur to terms in the New Mexico territorial prison in Santa Fe. Wilson received ten years' confinement, and Wilbur, who assisted the prosecution, received a five-year term. Six months later, on October 9, 1900, New Mexico Governor Miguel Otero granted Wilbur a full pardon, and the prisoner was released on January 7, 1901, presumably to return to San Antonio, Texas.

James Brooks, who may well have been one of the original conspiritors of the Las Cruces bank robbery, and who provided some of the essential breakthrough information to a law enforcement officer in the case, was sentenced to the New Mexico territorial prison from Grant County for five years. He had been convictedof grand larceny for stealing the horse and saddle. He should have taken the train to Arizona with his wife, instead of stealing a horse for the trip.

With the convictions of William Wilson and Oscar Wilbur for the Las Cruces bank robbery, Sheriff Pat Garrett had at least a partial victory in the case. Undoubtedly, he would have been happier if Rhode and Cravens had gone to prison as accessories to the crime because he firmly believed them guilty. In any event, after the case was settled, the old lawman put the Las Cruces bank robbery behind him and got on with his duties as sheriff.

A Final Note: Pat Garrett was shot and killed by Wayne Brazel in 1908. Brazel had been grazing goats on land leased from Garrett, a practice the aged lawman had little patience for. After a dispute over the land, Brazel confessed to shooting Garrett in self defense.

Brazel's business partner at the time of Garrett's murder was Print Rhode, the same Print Rhode Garrett had placed under arrest in connection with the Las Cruces bank robbery in 1900.

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In the Alamo's Shadow

By Ron Jackson

For one moment in time, a young black man captivated an audience comprised mainly of the signers of the Texas Declaration of Independence. The man's name was Joe, an American-born slave, and one of the few survivors of the March 6, 1836, Battle of the Alamo.

Joe's account of the grisly battle solved the mystery of the besieged Alamo garrison for the Texas Revolutionary leaders, many of whom had had friends and relatives within its walls. His story also spelled out the gravity of the situation for the Texas cabinet as the invading Mexican Army crossed the Texas frontier.

Over 161 years later, Joe's story has an impact of a different kind.

Slavery was the only life known to Joe, who was born into bondage somewhere in the southern region of the United States around the year 1813. He was sold in 1834 to William Barret Travis, and it was by his side Joe was thrust into one of the most heroic chapters in Texas history.

Joe accompanied Travis to San Antonio de Bexar in February 1836 and into the Alamo, a crumbling, adobe mission then being used as a military garrison by the fledgling Texas army. Travis, a fiery lieutenant colonel, would become the commanding officer of the Alamo shortly after his arrival.

By February 23, a grave situation had developed. Some 8,000 troops under Mexican General António López de Santa Anna laid siege to the Alamo, and Joe found himself among some 200 defenders trapped inside.

In the fateful, early-morning hours of March 6, freedom probably took on a whole new meaning for Joe. Creeping silently toward the Alamo in organized columns, the Mexican troops launched their final assault under a moonlit sky. Tensions mounted until one soldier in the ranks shouted, "*Viva Santa Anna!*" Another cried, "*Viva la Republica,*" and hundreds of voices rang out.

The surprise was ruined.

Texan Captain John J. Baugh, startled by the enemy's cries in the night, dashed across the Alamo compound. "Colonel Travis!" he yelled. "The Mexicans are coming!"

Travis sprang from his cot, grabbing his double-barrel shotgun and sword. He called for Joe to take his gun and follow. The two sprinted to the north wall battery through a maze of defenders scrambling to their positions.

Joe heard Travis shout as he ran: "Come on, boys, the Mexicans are upon us and we'll give them Hell!"

From the top of the north wall, Travis discharged his shotgun into a crowd of onrushing Mexican soldiers. Joe followed his master's example. Within seconds, a slug drilled Travis in the forehead, sending him sliding down an earthen embankment to his death.

Joe promptly retreated into one of the rooms within the compound. From a loophole, Joe fired his gun several more times amid the desperate hand-to-hand combat that ensued. Horrific screams of the dead and dying echoed in his ears until all he heard was sporadic gunfire. Joe huddled in a corner.

With the fighting all but over, Mexican troops began to search the vast compound, room by room, for any survivors.

"Are there any Negroes here?" a voiced called out in broken English.

Miraculously, Joe had survived the carnage. Joe stepped out from the darkness of his hiding place and replied, "Yes, here's one."

Two Mexican soldiers immediately lunged at Joe. One fired a

Illustrations by Gary Zaboly

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round of buckshot into his side and the other made a thrust with his bayonet, grazing the frightened slave. A Mexican captain named Marcos Barragan beat the soldiers away in an act that undoubtedly saved Joe's life.

Joe's presence at the Alamo has been well chronicled by historians, but nonetheless reduced to a footnote in the fabled Texas story. He is often regarded as the lone black man in an otherwise white, western adventure. In truth, there were several black people inside the Alamo compound at the time of the final assault.

Joe even said so himself.

One such person, a black woman, was seen by Joe after the battle, "laying dead between two guns."

Was she simply frightened and caught in the crossfire? Or did she also take up arms as Mexican forces poured over the Alamo's battered walls?

Survivor Juana Navarro de Alsbury told Texas Revolutionary war veteran John S. Ford years later that she saw a black woman after the battle. Alsbury said the woman escorted her and her one-year-old son, Alejo, to her father Don Angel Navarro's house in La Vallita and that the woman belonged to Colonel James Bowie, who laid dead in the Alamo.

Alsbury's escort may or may not have been Bowie's female cook Betty, who was in a kitchen area within the Alamo after the battle. Betty was with a slave named Charlie, a broad-shouldered man with fear in his eyes. Charlie tried to hide after the battle, only to be pulled from his hiding place by a group of Mexican soldiers.

In a desperate rage, Charlie grabbed the diminutive Mexican officer in front of him and used him as a shield as the soldiers lunged with their bayonets. The powerful Charlie parried each thrust with the body of the officer until the Mexican soldiers broke down in laughter.

The frightened officer promised to set Charlie free if he put him down safely. Charlie obliged and was set free as promised. Rumor was he escaped to Mexico.

Another Bowie slave named Sam has often been credited as an Alamo survivor, although the credibility of these reports remain shaky. Bowie did own a slave named Sam who accompanied him on a slave-trading trip from Galveston well before the Texas Revolution. From there, Sam fades from recorded history.

Some historians have apparently

"Peter rendered material aid to the government by hauling military stores and provisions for the use of the Army ."

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made the leap in logic. The "faithful" Sam must have been by his side to the heroic end. Unfortunately, the world may never know.

The identity of these black people in the Alamo are shrouded in mystery.

Slavery was illegal in the Mexican province of *Tejas* prior to the outbreak of the Texas Revolution. Emigrants and *Tejanos* skirted the law by simply calling their slaves "99-year" indentured servants or listing them as dependents. Mexican officials were also guilty of loosely enforcing the law. Thus, slaves weren't always listed on census records, wills, and other legal documents.

Bowie's estate, for instance, listed no slaves. Yet make no mistake: The legendary knife fighter, who once dealt in the slave trade with pirate Jean Lafitte, owned slaves.

One interesting account of a Bowie slave named Jim was recorded by writer Andrew Jackson Sowell in his 1900 book, *Early Settlers and Indian Fighters of Southwest Texas...Facts Gathered From Survivors of Frontier Days.* In the account Bowie orders Jim to make a dangerous dash for water during a standoff with a band of Comanches.

The story pokes fun at the frightened slave as he narrowly escapes with his scalp. But what makes the account fascinating to historians is Sowell's report that "this negro lived for many years after the death of Colonel Bowie in the Alamo, and went by the name of 'Black Jim Bowie. 'Was 'Black Jim Bowie' also in the Alamo?" As in the case of Sam, the answer may forever elude historians.

So who were these black people? And how did they end up inside the doomed Alamo garrison?

Not all of the blacks in the Alamo may have been slaves.

Abolitionists Benjamin Lundy noted the presence of at least two free blacks in Bexar on a trip there in 1833, two years prior to the start of the revolution. On August 24, 1833, Lundy penned in his diary, "There lives here in Bexar, a free black man, who speaks English. He came as a slave first from North Carolina to Georgia, and then from Georgia to Nacogdoches, in Texas....He now works as a blacksmith in this place."

Lundy also met Felipe Elua, a black Louisiana Creole slave who purchased his freedom for him and his family. Lundy wrote of Elua, "He had resided here twenty-six years, and he now owns five or six houses and lots, besides a fine piece of land near town [Bexar]....He has a sister, also residing in Bexar, who is married to a Frenchman."

Other free blacks may have arrived in Bexar by 1836, and may have found refuge in the Alamo just as some in the local *Tejano* population did.

Still others may have fled the area when rumors first hit Bexar of the Mexican cavalry's appearance at Leon Creek, a mere eight miles outside of town.

Five days after the Alamo's defeat, Mexican officer Jose Enrique de la Pena noted in his memoirs that while on the banks of the nearby Colorado River, "We met several natives, a mulatto woman, two Negro women, and several Negro men, who were very useful in making the crossing and who washed our clothes."

Black people were indeed in the area and dotted throughout the Texas frontier.

Peter, a slave owned by Wiley Martin, was definitely in the vicinity and probably entered the Alamo in December 1835. The elderly Martin wished to free Peter before his death, and in 1839, made a plea to the Texas senate by stating, "That during our struggle for Independence [Peter] rendered material aid to the government by Hauling [with his own team and at his own expense], military stores and provisions for the use of the Army during the period they were stationed before Bexar in 1835."

Martin received his wish in 1842. Peter became one of only two adult slaves manumitted in the Republic of Texas and allowed to remain in the country as a free man. Peter, who had already amassed a fortune of $16,000 prior to the ruling, made the most of his freedom. He worked as a peddler and cook, and hired his wife from her master so his family could remain together. But Peter was not alone in his service.

Cary, the only other Republic of Texas slave to be manumitted, was also "of much service in carrying expresses" during the war. In addition, Captain Josiah H. Bell dispatched his slaves Peter and Sam to help guard families near the battlefront in April 1836. Whether or not any of these men aided the Alamo garrison is unknown.

Like Joe, most of the Alamo's black populace probably didn't have a choice whether or not they were present. A number of Alamo defenders owned slaves: Micajah Autry, Mial Scurlock, William R. Carey. Even courier Juan N. Seguin, who left the Alamo February 25 to rally reinforcements, and his family were known to own slaves. Any one of these men could have brought their servants with them to Bexar.

Evidence shows Carey probably did bring a slave into the Alamo. Years after the battle, Carey's father, Moses, traveled to Texas to settle his son's estate. The elder Carey received $198.65 for his son's military service. On June 25, 1839, Moses filed a document stating a "private servant" may have died with his son at the Alamo.

Scurlock might have also been accompanied by a slave. In 1834, Mial and his older brother, William, moved to Texas from Mississippi to reap the rewards of the vast Mexican province. They entered Texas through Louisiana via the Gaines Ferry. With them they brought supplies and slaves, Henry Smith, John Scurlock, an eighteen-year-old woman named Easter, and her four-year-old son, Denis.

Easter and Denis (later renamed Dave Dennis) lived in a San Augustine hotel with William for a time. William, a noted hunter, paid for their room and board with the wild game he brought back from his hunts. Easter chipped in by working at the hotel.

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Henry Smith and John Scurlock, meanwhile, worked side by side with Mial to build a log cabin on the younger Scurlock's 640 acres in the Sabine District. Mial and his slaves cut timber for the cabin from a nearby forest and hauled the wood on their backs. By late 1834, the bachelor Mial and his slaves moved into the new cabin.

According to family legend, Henry Smith, John Scurlock, Dave Dennis, and later Dick Dennis were all rumored to have been the offspring of William Scurlock. Henry and John were said to be the older half-brothers of Dave and Dick. If true, this would have made Mial an uncle.

Did Henry and John ride with Mial into the Alamo, and like Joe, survive? Or did Mial leave them home when he and William joined the fight for Texas independence?

Loyalty would not have been out of the question.

James Robinson came to Texas

One such person, a black woman, was seen by Joe after the battle, "laying dead between two guns."

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in March of 1836 bound by indentured servitude to Robert Eden Handy. Upon his arrival, Robinson refused a passport that would have carried him back home to his friends and family and "begged permission to remain and share the fate of those who met the enemy." Robinson was allowed to join the Texas army with Handy.

A similar case might have occurred with the private listed only as "John" on early Alamo muster rolls. John is identified as a clerk in Francis L. DeSauque's store. DeSauque left the Alamo shortly before the siege began to obtain some provisions for the garrison. He was executed roughly a month later at Goliad by the Mexican army.

John, on the other hand, would become another fallen hero at the Alamo. But there is no other evidence suggesting John was black.

Another possible slave at the Alamo may have been a woman named Sarah.

In 1831, Ezekiel Hays of New Orleans filed the first of six petitions against Patrick Henry Herndon for the return of his slave, Sarah. Hays claims Herndon ran away with her and brought her to Texas.

Herndon died with the rest of the Alamo defenders on March 6, 1836. Was Sarah with Herndon at the time? Was she the dead woman, laying between two guns? Or, if she was present, did she survive?

Black people probably had as good a chance of surviving the desperate, chaotic battle as anyone else. Mexican commanders made it clear during the Texas Revolution that they were not at war with the black person, whom they viewed as a victim of the Anglo-American's brutal work system.

General Santa Anna himself made Mexico's position quite clear as he prepared to invade Texas in February 1836. He wrote to his minister of war and marine at the time: "There is a considerable number of slaves in Texas who have been introduced by their masters under cover of certain questionable contracts, but who according to our laws should be free. Shall we permit those wretches to moan in chains any longer in a country whose kind laws protect the liberty of man without distinction of cast or color?"

Joe probably owes his life to this belief.

At least one black man witnessed the fall of the Alamo from outside its walls. Ben, an African-American drifter, served as a cook for Santa Anna. From a window in town, roughly 500 yards from the Alamo, Ben watched as rockets signaled the start of the famed battle.

Under the illumination of the rockets, Ben saw scores of Mexican soldiers at the foot of the Alamo's walls. He later reported that the sound of cannon, musketry, and rifles was tremendous, and that after the battle, Colonel Juan Almonte remarked to Santa Anna, "Another such victory will ruin us."

Ben then had the unpleasant task of pointing out the bodies of Bowie and Travis, whom he claimed to have known.

Sometime in the aftermath of the battle, Ben was ordered to escort Alamo survivor Susanna Dickinson and her baby, Angelina, past the Mexican picket lines and along the beef trail to the town of Gonzales. It was there, in Gonzales, that Dickinson gave one of the first eyewitness accounts of the Alamo massacre, sparking what became popularly known as the Runaway Scrape.

Citizens of Gonzales and settlers in the surrounding areas responded to the news of the Alamo's defeat by fleeing in a mass exodus toward the safer, eastern settlements. Leading the way was the retreating Texas army under the hesitant leadership of General Sam Houston.

Somewhere in the crowd was Ben.

As fate would have it, Ben became a cook for Houston before the buckshot had stopped flying in the war.

Of all the blacks who played a role in the Texas Revolution, however, none is remembered more than Joe. The twenty-three-year-old Joe survived the butchery at the Alamo and stood face-to-face with the infamous Santa Anna, a man he described as tall, thin and plainly dressed like "a Methodist preacher."

Joe was detained after the battle in Bexar, where he was interrogated and then forced to watch a grand review of Santa Anna's battle-hardened Mexican army. With his force of 8,000, Santa Anna boasted to Joe he could march all the way to Washington, DC, if he wanted.

Obviously, Joe wasn't too worried.

After accompanying Ben, Dickinson, and her baby to Gonzales, Joe ended up before the Texas cabinet at Groce's Retreat, where he calmly spoke of the Alamo's fall and of Santa Anna's threat.

For all his efforts, Joe was returned to the Travis estate near Columbia, where he remained until making his escape in 1837. Joe and an unknown Mexican man disappeared one day with two fully equipped horses. A notice for Joe's return was published by the executor of the Travis estate in the *Telegraph and Texas Register* on May 26, 1837.

A $40 reward was offered for his return. In the notice, Joe was described as "about twenty-five years of age, five feet 10 or 11 inches high, very black and good contenance." The notice ran three months and was discontinued August 26, 1837.

One legend tells of Joe returning to Alabama after his escape to tell the Travis family of his master's death at the Alamo. He is also said to be buried in an unmarked grave in Brewton, Alabama.

Joe was last reported in Austin in 1875 before fading from history.

No one really knows for sure what happened to Joe. Only one thing is certain. Joe had a sense of history. He escaped April 21, 1837, on the first anniversary of the Battle of San Jacinto—a battle that gained Texas its freedom.

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FORT GARLAND'S TOM TOBIN

By Randy D. Smith

In 1979, a group of workmen were cleaning out several years of accumulated debris in the basement of the Colorado state capitol. As the mounds of refuse were being sorted, one of the men opened an old wooden box. What he found raised a minor storm of controversy and began several weeks of mystery until a satisfactory explanation could be determined. The box contained the skulls of two men wrapped carefully in a cloth.

Eventually it was claimed that the skulls were the horrific remains of two desperadoes, the Espinosa brothers, long thought lost in the history of early Colorado. Although the proof connecting the skulls to the Mexican outlaws has never been verified, it reawakened the memory of another man who had been generally neglected by southwestern historians. If the skulls were genuine, they were the product of the actions of one man, Thomas Tate Tobin, of Fort Garland, Colorado.

During the early years of Colorado history, Tobin was directly linked with men such as Kit Carson, William and Charles Bent, Ceran St. Vrain, and Dick Wootton. Always in the shadows of such men as these, his memory has remained a minor footnote in history. Tobin was an instrumental figure in several famous incidents and was considered to be the last of the famous group of mountain men who blazed the trail of white settlement of the Southwest.

Tobin was a man of swarthy complexion who claimed to be the son of an Irishman and a Delaware Indian woman. He was born May 1, 1823, in St. Louis, Missouri, and came West in the late 1830s with his half-brother, Charles Autobees. (Tobin called himself Tom Autobees until after the Taos Rebellion.) He spent several years trapping and scouting for the Bent-St. Vrain Company, headquartered at Bent's Old Fort along the Arkansas River at the foot of the Rocky Mountains. During this time he became acquainted with another young adventurer, also employed by the Bents, named Christopher "Kit" Carson. The men hunted and trapped together in a loose relationship that typified the on-again, off-again partnerships of most of the earlier trappers who explored the mountains looking for the riches of the beaver trade. They were among several buckskinners of the day who have come to be referred to as the Taos trappers. They used the old Spanish mission settlement of Taos, New Mexico, as a base for purchasing supplies and as an outlet for selling furs and hides. Few men ventured into the Colorado Rockies alone. The dangerous threats of Indians and nature were real. These men formed into companies for mutual protection and partnerships to get the most money for their products.

Author's Collection

Tom Tobin

By 1838, the lucrative market for beaver pelts had failed and the number of beaver had fallen so drastically that most of these men turned to other means of making a living. Trading with Indians, buffalo hunting, small ranching operations, and guiding along the Santa Fe Trail were the most lucrative ventures, although beaver were still trapped

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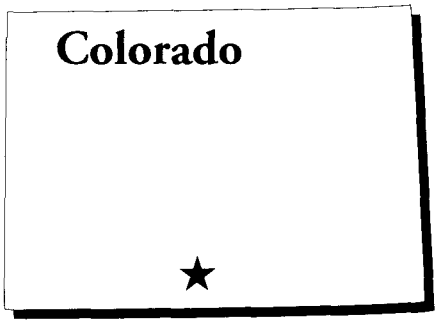


well into the 1840s.

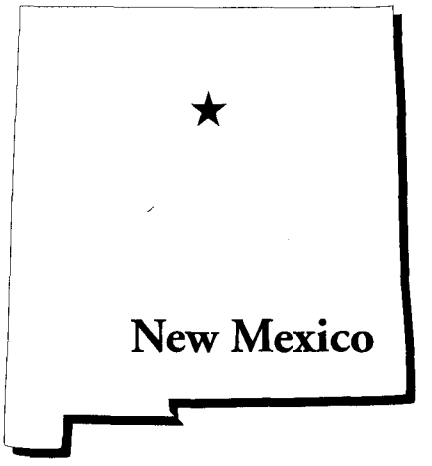
During this period of time, Tobin became an expert tracker and earned himself the reputation of being a dead shot with a rifle or pistol. He had also become known as being something of a hot head. Although a man of his word and possessing a charitable nature, it was common knowledge that he would fight "at the drop of a hat."

War broke out between Mexico and the United States in 1846. In September 1846, General Stephen Watts Kearny's Army of the West took Santa Fe without opposition, and before moving on to California, Kearny appointed Charles Bent the first governor of New Mexico Territory. Charles had married a Mexican widow, Maria Ignacia Jaramillo, and had taken up residence in Taos. His brother, William, was managing the fort in Colorado and their partner, Ceran St. Vrain, was based in Santa Fe, to the south. Because of Bent's excellent connections with the Mexican population and his knowledge of both the American and Mexican cultures, he was the perfect choice for the position. No doubt, most Americans, including Tobin and Carson, felt that the change from Mexican to American dominance of the area would be easy and amicable.

Less than five months after Santa Fe's surrender, January, 20, 1847, Tobin and several other mountain men were spending some time relaxing a few miles north of Taos at Turley's Mill, at Arroyo Hondo. Simeon Turley used the location as a distillery for "Taos lightning," a whiskey that was used for bartering with Indians for furs. Liquor was a forbidden trade item to the Indians in the territories to the north of New Mexico. Turley made good profits selling his liquor to traders who smuggled the whiskey into Colorado for the illegal trade. Tobin and the others were sampling the wares to keep out the chill of the New Mexico winter.

The group found themselves the victims of a surprise attack by over five hundred angry Mexicans and Indians. An Indian named Tomacito and a Mexican, Pablo Montoya, had fomented a revolt throughout Taos. Charles Bent had been murdered in his home during the night, as were most white officeholders in the settlement. For several hours, the mountain men fought valiantly to defend their position and their lives. When it became obvious that the rebels were too strong, three men tried to escape for help by digging a hole through the adobe wall of Turley's Mill. John Albert made his way on foot toward Pueblo, Colorado, while Tom Tobin was able to secure a horse and ride for Santa Fe. The third man was Simeon Turley, himself. He only made it a few miles before he was discovered and executed by the rebels. While Tobin and Albert raced for help, the embattled survivors of the mill held out for two days. But time, distance, and numbers were against them and all were massacred. The mill was reduced to a smoldering ruin.

Tobin brought word of the rebellion to the military commander of the territory, Colonel Sterling Price, who was stationed in Santa Fe. Price made immediate preparations to march on Taos. Tobin joined a group of mounted volunteers that included Carson, Dick Wootton, and several other mountaineers under the command of Ceran St. Vrain. On February 3, 1847, Price's troops entered the settlement and regained control. They immediately swept on to Taos Pueblo, three miles north of the city, and the center of rebel activity. The Indians barricaded themselves in the old mission church within the confines of the pueblo. St. Vrain, Tobin, and the other volunteers took positions on the slopes of the



mountains surrounding the pueblo while the army undertook a direct assault. When the rebels tried an escape from the rapidly advancing American troops, the volunteers took a savage toll. Tom Tobin claimed to have been an instrumental figure in the rebellion but is completely left out of most accounts of the incident. In later years, Tobin applied for bounty land, citing his service during the Taos revolt. Although his service as a messenger was verified, Tobin was unable to prove himself a fighting soldier and his application was denied.

Two years after the Taos rebellion, Tobin's services were again called upon. In October 1849, James M. White, a prominent trader from Jackson County, Missouri, left New Mexico en route to Missouri with thirteen loaded wagons. Utes massacred the men and took Mrs. White, an infant daugher, and a black nurse captive sometime between the twenty-fourth and twenty-fifth, near Wagon Mound. News of the kidnapping and massacre spread immediately to Taos. Major William Grier was the military commander of the settlement. He began a rescue effort with mounted dragoons but was delayed by a severe snowstorm and extremely cold weather. He needed the best trackers and scouts that he could find to locate the Indians after the snowfall. Kit Carson, Antoine Leroux, Dick Wootton, and Tom Tobin were recruited.

The men started tracking the Utes at the site of the massacre and through over 400 miles of snowy

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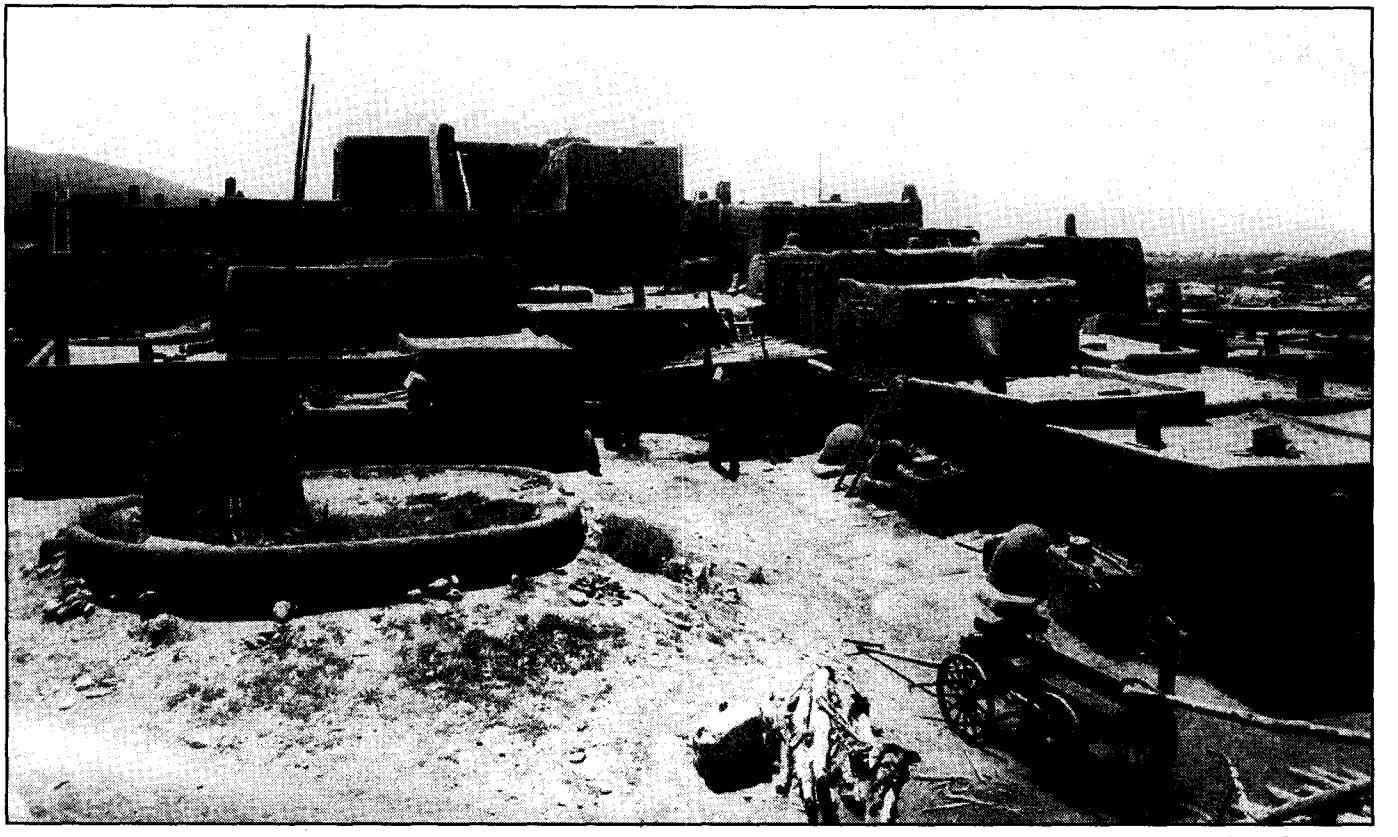

Western Publications

Taos Pueblo, circa 1934.

landscape, followed a difficult trail. Several times the sign was completely lost, but the trackers' knowledge of the terrain kept the party in pursuit. The feat remains one of the greatest accounts of tracking skills in annals of the West. After several days, Carson noticed a concentration of crows hovering in the distance. Experience told the scouts that this was usually a sign of an Indian village. Crows fed on the remains of butchered meat that was discarded by the Indians. While Wootton went after Grier and his troops, Tobin and Carson crept up on the village and determined that it was the Utes. When the men met with Major Grier, it was decided that their best course of action was to get as close as possible to the village and spring a surprise attack. The scouts felt that it was the only way to rescue the captives before they could be murdered. The troops carefully crept into position for attack.

Grier changed his mind, telling the scouts that he wanted to parley with the Indians and reduce the chances of the women being killed. Carson and Tobin were enraged by the decision. Even the Frenchman, Leroux, is said to have informed Grier of his ancestry in his native tongue. Carson said that he wanted no part of such a strategy. He told Grier that the women would be dead for sure if the Utes received any kind of warning.

Grier's mind was made up. He advanced ahead of his column toward the Indian village. The Indians could be seen hastily preparing a defense and making preparations for escape, but Grier ignored his scouts' warnings. As he neared the Ute position, the warriors opened fire. Grier clutched his breast and fell to the ground. The troops launched an attack and swept through the village.

After the battle, Tobin found the body of the Ute chief, White Wolf. The victory was marred because the ten-minute delay had given the Indians enough warning for most of them to escape. Mrs. White was found near one of the lodges, her still warm body shot through with three Ute arrows. Her daughter and the servant were never recovered. Grier, on the other hand, had been lucky. The bullet was checked by heavy leather riding gloves stuffed in his vest, preventing him from being seriously wounded. For the rest of his life, Tobin blamed the failure of the rescue on Grier's incompetence.

In 1852, Tobin moved north to serve as a scout at newly established Fort Massachusetts in southern Colorado. He would spend the remainder of his life in that general location. For the next decade he served as a part-time scout and guide for the post that was created to protect the settlers and Mexicans of the San Luis Valley. He also began a small ranch near the fort. When the military took over the fort, it was moved and renamed Fort Garland. Tobin's old companion, Kit Carson, was promoted to colonel at the beginning of the Civil War and was named post commander of Fort Garland. Carson led his famous campaign against the Navajos from this post.

Tobin did not go with Carson. He was detailed for a manhunt that would bring him his greatest fame.

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A series of brutal killings of settlers throughout southern Colorado caused the panic-stricken populace to demand military action. After several months, a teamster who had survived an ambush, identified the killers as the Espinosa brothers. Their first names seemingly lost with time, the two brothers were the sons of a wealthy Mexican landholder who owned vast herds of cattle and sheep in New Mexico. Whether they sought vengeance for American confiscation of their father's lands, as one story goes, or the rape of a sister by an American, is uncertain. The Espinosas were held in high regard by the Mexican population which felt persecuted by American racism and unequal legal treatment.

After the discovery of the brothers' activities, two miners were murdered near Fairplay, Colorado. A party of miners tracked the murderers and found a camp where a man was saddling a horse. He was identified as one of the Espinosa brothers. The miners opened fire on the man and in a quick gunfight, were able to shoot him down. In the confusion that followed, the other brother was able to slip away, posing as a member of the posse. The miners were unable to pick up the younger Espinosa's trail and after a few days returned home. By September, Espinosa recruited his nephew and failed in an attempt to ambush and kill Colorado Governor John Evans. The enraged Evans offered a reward of $2,500 to anyone who could capture the Espinosas dead or alive.

Colonel Tappan, who had replaced Carson at Fort Garland, summoned Tom Tobin to the post. He offered Tobin the reward if he could lead his troops to the location of the outlaws. Tobin was reluctant as he did not trust the soldiers of the post, fearing that they might kill him so they could claim the reward. Tobin offered to go alone but Tappan wanted it to be a military action. Tobin was finally persuaded to take Lieutenant H.W. Baldwin and fifteen troopers in pursuit of the outlaws. The scout also arranged for a local named Loring Jinks and a Mexican boy named Juan Montolly to accompany the group.

Tobin came upon the Espinosas the first day out but lost them in heavy stands of pine and aspen. He relocated their trail and began tracking the outlaws. He was able to follow the pair until he reached the branch of a stream. Tobin went up stream while he sent Baldwin down. Juan, the Mexican boy, went with Baldwin and spotted the Espinosas. He was unable to get Baldwin to understand him until it was too late and the brothers had disappeared. After Tobin rejoined the group, he led them to a local rancher's place to spend the night. They resumed their search the following day by working through a pass in the Sangre de Cristo mountains.

During the day, the men came upon the pony tracks of a band of Ute Indians and the force broke up. Tobin took Juan, Baldwin, and six soldiers in one direction, while Loring Jinks and the other troopers went in another. The groups lost track of each other. That night Tobin had his men camp along LaVeta Creek.

The following morning Tobin came upon some oxen tracks and became suspicious. He examined the tracks and determined that the Espinosas were driving the beasts. He reasoned the two oxen had been taken by the Espinosas to be butchered. The trail of the killers was extremely difficult to follow as it worked into the mountains. When the landscape became too treacherous for horses, Tobin sent Baldwin back to a prearranged meeting spot and continued the trail on foot with Juan and two troopers. Eventually they came upon a location where Tobin saw a concentration of crows hovering ahead. Tobin reasoned that the Espinosas had butchered one of the oxen. He sent a soldier back for Baldwin. As he approached the position where he thought the Espinosas would probably be, a soldier that Baldwin had sent to him joined the group.

Tobin ordered the soldiers to take a position and to wait for his signal before firing. He crept up on the location. Just as he came upon one of the men, he stepped on a stick. The resulting cracking sound alerted the outlaw. As the man grabbed for his gun, Tobin fired his Hawken rifle and struck him in the side. As he went down, the Espinosa shouted a warning to his relative, who was running to provide aid. Tobin ordered the soldiers to fire as he recharged his muzzleloader. The soldiers and Juan fired at the other outlaw but missed. As the Espinosa turned to make an escape, Tobin raised his reloaded rifle and shot the bandit in the back.

Tobin sent for Baldwin. He held his position while he watched the wounded Espinosa take cover. When the other soldiers arrived, the group worked its way toward Espinosa's position. They found him bracing himself against some fallen trees, waving a pistol and shouting challenges. As the men approached, Tobin warned the soldiers to be careful.

As the men worked their way toward Espinosa in an arch, Tobin ordered him to drop his gun and surrender. The outlaw tried a shot at one of the soldiers. Tobin rushed upon the Mexican, bent him backward over a log, and cut off his head. Some accounts of the incident report that the Mexican begged Tobin for his life, his pleas falling upon deaf ears. Whatever the case, Tobin had Juan cut off the other outlaw's head. The scout put them in a gunny sack. He hung the sack in a tree and finished cooking the meal that the outlaws were preparing.

There are accounts that during the night Tobin dreamed that the heads were being stolen. He jumped from his blankets and placed the heads under a saddle. He slept soundly through the remainder of the night. The reward was a fortune for Tobin and this action is understandable considering his distrust of the soldiers.

Two days later, Tobin rode into Fort Garland and rolled the severed heads at Colonel Tappan's feet. He

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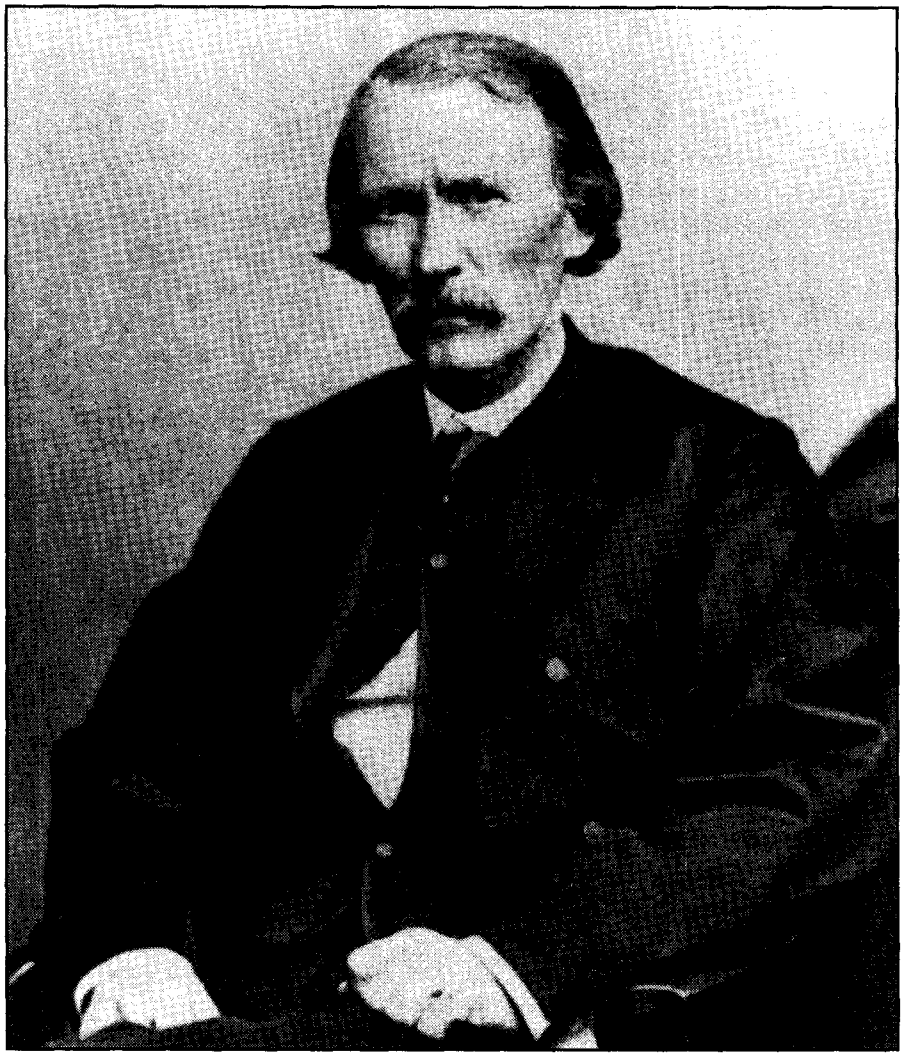

Western Publications

Kit Carson, 1868.

also presented Tappan with a diary, letters, and papers that proved the men to be the Espinosas and associated them with several crimes.

Former Colorado Governor William Gilpin, one of Tobin's commanders during the Ute campaign of 1848, invited the scout to a banquet in Tobin's honor in Denver. At the conclusion Tobin was presented a fine rifle. He shocked the crowd when he immediately seized the rifle and flung it across the room, demanding the reward that he was entitled to. A sum of $750 was given to Tobin after the incident, but the scout claimed throughout his remaining days that the reward was never totally paid. The heads disappeared a short time later. Several stories of what happened to the heads circulated but no one knows for certain what eventually became of them. Unless, of course, it is uncommon practice to store severed heads in the basement of state capitols.

Tobin settled into obscurity on his ranch until the late 1880s. During this period of time, his daughter married Billy Carson, Kit Carson's oldest son. Billy had been the sheriff of Costillo County, Colorado, before becoming a merchant in Fort Garland.

On a Tuesday in late April 1888, Tobin and his son-in-law were drinking together. They argued over Tobin's daughter. Tobin accused Carson of abuse. After some hot exchanges, Tobin called Carson a liar. Carson responded by delivering a blow to the old man's eye, sending him crashing to the floor. Tobin, who was never without a side arm, drew his pistol and took a shot at his son-in-law. Carson scrambled into his store and made for his counter as Tobin sent another bullet through the building. As the old Indian fighter came into the store, Carson pulled a Winchester from under the counter and shot Tobin through the groin. The bullet exited the old man's left hip. As Tobin went down, he emptied his revolver in Carson's general direction. He raised himself to one elbow and tried to reload before collapsing. Tobin was carried to a nearby house and a doctor was summoned. Carson surrendered himself to the local justice of the peace and was released on $5,000 bond.

No one expected the old man to live. Tobin stated that he expected he would pass on to glory. He was disappointed that he was unable to get even. Carson was cleared of the charge as a matter of self defense. Because of Tobin's popularity with the local Mexicans, Carson was afraid he would be lynched and took to habitually packing a pistol in his belt.

The old man didn't die. It took him over a year to completely recover. In January 1889, Carson was putting away a team when one of his horses kicked him. The hoof struck the revolver stuffed in his belt. The gun went off sending a bullet into Carson's thigh lodging itself in his knee joint. Although the wound wasn't considered serious, Carson succumbed to lockjaw several days later. There is no record of Tobin's comments concerning Carson's demise. One can only surmise that he didn't shed many tears.

In April, Tobin returned to his ranch and remained there for sixteen more years. The old Indian fighter and manhunter passed away May 16, 1904, at eighty-one years of age. Though nearly blind in his last years, the old mountain man was evidently as feisty as ever until the end. In his obituary he was honored as one of the last of the mighty breed of men who tamed the West. Tobin's grave is now located in a pasture near present-day Fort Garland, Colorado.

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INA COOLBRITH
Wild West Poet

BY MAUREEN BELL

A golden-lettered, bold sign on the archway inside the new California State Library, Sacramento, proclaims, "For California is a poem! The land of romance, of mystery, of worship, of beauty and of Song," by Ina Coolbrith.

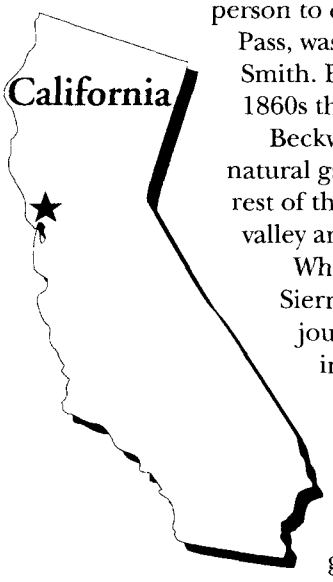
In 1915, Coolbrith became the United States' first poet-laureate. When awarded the traditional crown of laurel at San Francisco's Panama-Pacific Exposition, she graciously called Josephine McCracken, a fellow frontier author, onstage to share the title with her. Together the two women reminisced about California's frontier history, when they were regular contributors to San Francisco's *Overland Monthly*, along with Mark Twain, Ambrose Bierce, Bret Harte, and Joaquin Miller.

When asked by a New York publisher to recount her memoirs, she raised a hand to her regal cheek, and replied, "Were I to write what I know, the book would be too sensational for you to publish, but were I to write what I think proper, it would be too dull to sell." Coolbrith's story begins in August 1851, when at age ten she and her family migrated to California.

A travel-worn pony carried an energetic black man and a happy but tired girl over the Sierra summits. The man called himself Jim Beckwourth, mountain man, story-teller and honored Crow chief, Morning Star. The dark-haired, gray-eyed girl, the first white person to cross Beckwourth's Pass, was named Josephine Smith. But by the mid-1860s the literary world knew her as Ina Coolbrith, frontier poet.

Oakland History Room, Oakland Public Library

Ina Coolbrith at age eleven, after she first arrived in California.



Beckwourth hoisted Ina off the tired pony. The two stood at the top of the pass, an easy and natural gateway over the Sierras, the later route of the Western Pacific Railroad, waiting for the rest of the caravan to reach them. Below them lay Lassen Valley. Beckwourth pointed to this valley and told his companion, "There lies your kingdom."

When the rest of the emigrants reached the top, they too looked down on the crest of the Sierra into the valley below and rejoiced. They had made it. Leaving Missouri, they had journeyed westward over the dangerous and bone-littered prairie, crossing swift streams in which cattle perished. Indians had attacked and nearly captured their party, causing them to lose their way. But they finally arrived unharmed at Truckee River, where they met Jim Beckwourth on his death bed.

The women of the caravan nursed Beckwourth back to health, and he livened up considerably. One evening, after he had told the children his mountain-man stories and the tunes of the fiddlers had quieted, Beckwourth volunteered to conduct the group safely down into California's fertile valleys. The next day, under his protection,

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the men manuevered the ox carts through the dangerous defile known today as Beckwourth's Pass.

Now they had only to journey down the long slope, into the promised land where gold glistened in the mountain streams. "Gold! Gold! The glittering lure that beckoned them!" wrote Ina Coolbrith in 1896, reminiscing about this long overland journey. They would face no tragedies as the Donner Party had before them in 1846.

The following day, the emigrants proceeded on to California, to Jim Beckwourth's store and hotel combined some fifteen miles ahead. And the day after, Ina and her family plodded in their wagon over the rocky, forested terrain on their way to Spanish Ranch, ten miles north of present-day Quincy. There, Ina's stepfather William Pickett, found shelter for his wife and children. Then off to the Yuba and Feather River mines he went, in search of gold.

Waiting in eagerness for Father Pickett's return, the children relaxed and rested from the journey. Together Ina and her older sister, Agnes, read William Pickett's cherished volumes of Lord Byron and Shakespeare often. These literary works, along with many law books, crossed the plains with them.

William returned to Spanish Ranch and the family sold their ox team, rented pack mules to relocate their bedding and clothing, their food and utensils, and William's precious books, and moved to Marysville. The twin Pickett boys, Ina's four-year-old step-brothers, rode donkeys. The others walked every step of the way. Ina never forgot this eighty-mile journey, for her shoes gave out and her feet bled. Her mother bandaged her wounds, but she walked much of the way in agony.

The family rented a small cabin in Marysville. Then William once again hurried off to the mines, expecting to be back within a month. Snowbound, he stayed there, marooned until May. Old Thompson, a Virginia ex-slave, gave Agnes Pickett and her children shelter and did what he could to aid them.

Marysville faced a heavy flood that winter of 1852. Ina's mother, her sister, and the twins all grew sick with chills and fever. Prices for food soared. Mother Agnes earned money for what little food they ate by sewing for certain ladies of the town. Only Ina felt well enough to run errands, dangerous ones at that. Once, on the way to the store, the rain-softened soil caved beneath her feet and she fell into a ditch. Fortunately, Old Thompson saw her and hauled her out. That summer, the Picketts camped near Gold Canyon on the Feather River. By autumn, the Ina Ledge, as William called his claim, had given little gold. Unsuccessful at prospecting, the Picketts returned to Marysville where William worked as a printer. After enduring another flooded winter, the family moved to San Francisco.

INA LOVED THIS "wooden city" by the bay, with its redwood houses and ships converted into commercial establishments. The Picketts purchased a home there, but it was soon burglarized. The thief committed arson to hide the crime. Now in debt, the family moved to Los Angeles.

Ina Smith, with her dark eyes and luxurient hair, her pure olive skin flushed with red, and her rich contralto voice, fit well the image of a western girl in the then sleepy Spanish pueblo of Los Angeles. By 1855, William Pickett had become an established lawyer, his law library being the first and best in a region thick with lawyers. Light-hearted Ina took up the guitar and, inspired by Shakespeare and Lord Byron, began strumming poetry. She found verse-making a fun way to express her thoughts and daydreams, which included nature, romance, and girlish lore. At home, she composed rhymes and concentrated on imagry so remote from dishwashing and sweeping that her father wondered about her. His wonder turned to merriment when the prestigious Los Angeles *Star* published fifteen-year-old Ina's Smith's poem, "My Childhood's Home," on August 30, 1856.

Busy with family, school, and a popular social life, much of the crime and cruelty of brutal Los Angeles stayed beyond Ina's grasp. But, in January 1857, Los Angeles County Sheriff James Barton and three members of his posse were shot from ambush and killed. This frightened the community. That month the Los Angeles *Star* published a second poem of Ina Smith's, calling for avengers for the dead man. Verses concerning crime, or any other public stance, were rarely written by this gentle poet.

Infatuated with love, with life, and with her poetry, Ina Smith penned a flood of sentimental outpourings on paper. Her poetry, now regularly appearing in the *Star*, turned from youthful passion into a romantic affair after she met Robert Carsely, a businessman from Los Angeles. Ina married Carsely in April 1858.

But, two years later, the marriage ended. Carsely, a wife-beater, became irate. He pursued Ina, and William Pickett shot him. The bullet wounded Carsely's hand and he later had it amputated. A sensational divorce trial ensued, ending in dissolution of the marriage in December 1861.

Ina Smith Carsely entered a deep depression. "When I was twenty, just/Life seemed crumbled into dust," she later wrote her niece, Ina Cook Graham, about these dark and dismal days. Socially ostracized, mourning over her divorce and the loss of a child, Ina and the rest of the Pickett family moved back to San Francisco. Only dear sister Agnes, now married, stayed in Los Angeles.

San Francisco, now a booming western city where fortunes could be made or lost overnight, beckoned to Ina with warm arms. Upon reaching shore, she changed her name to Ina Coolbrith. She then found employment as a schoolteacher. This job, along with the usual womanly tasks at home, gave Ina little time to write. Instead she

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fretted. She fretted about her job, about her position as a divorced woman, about her ability as a writer and, above all, she missed her sister and needed her comfort. The memories of the last year also haunted her. A lover of books, however, that year she found the large and impressive Mercantile Library, giving her some moments of happiness.

Always reserved and mysterious, Ina Coolbrith at first found it difficult to make new friends and to find herself a niche in San Francisco. Her first friend in this golden city was Mary Tingley, the daughter of Judge Tingley and a writer as well. Mary introduced Ina to Bret Harte and Charles Stoddard, already renowned western writers.

Tall and dignified, Ina must have strummed her guitar and sung her lyrics for these great and respectable men so sweetly that they immediately gained a deep admiration for her. They later became like brothers to her. For the rest of her days, those who experienced Ina's warm and witty personality and read her poetry loved and revered her. Her vitality had returned and, with it, a stately carriage like a queen.

In July 1861, Anton Roman published San Francisco's first issue of *Overland Monthly*, with Bret Harte as editor. A sensation from West to East, of the seventeen lyrics in Volume 1, all but one were written by what became known as the "Golden Gate Trinity." This trio consisted of Bret Harte, Charles Stoddard, and Ina Coolbrith, the most highly regarded and best pioneer poets of the golden state. Ina's poem, "Longing," an uninhibited expression of the frustration of a young teacher who wanted time to write and time to live, was the most popular lyric in the whole volume.

By July 1861, Ina had written her second poem to be published by the *Overland Monthly*, entitled "In Blossom Time." The carefree words for this poem, "It's O my heart, my heart, To be out in the sun and sing—To sing and shout in the fields about, In the balm and the blossoming," came with a rush to Ina, singing themselves.

Oakland History Room, Oakland Public Library

Ina Coolbrith at age thirty, taken in 1871.

A club, the Ina Coolbrith Circle, began in the Pickett home one Sunday at the end of 1861. After this, the citizens of San Francisco dubbed her stepfather's home as "a poet's corner in a poet's city." Some of California's greatest men and women, writers and poets, philosophers and musicians, artists and actors, met there for inspiration and merriment. One of the club's pastimes was the making of limericks, members cheering each other with rhymes. Bret Harte, responding to a witty limerick of Ina's, once came up with: "There is a poetic divinit—Number One of the Overland Trinity—Who uses the Muses/Pretty much as she chooses—This dark-eyed, young Sapphic divinity."

The Pickett home, with its faint aroma of violets, proved a peaceful place to create verse. Ina usually sent her poetry to editor Harte by messenger. But, by walking down to the office, she became acquainted with many poets and writers of the post gold-rush days. There she met Mark Twain and Ambrose Bierce. There she also learned of other magazines. Her poems were soon printed in such western presses as *Golden Era* and *Californian*, and in such eastern magazines as *Harper's Weekly* and *Galaxy*.

National acclaim came to Ina Coolbrith in 1865 for her poem, "The Mother's Grief," an ode to an infant son who had died during the

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Oakland History Room, Oakland Public Library

Ina Coolbrith with fellow San Franciso poet Edwin Martham.

disastrous days of 1861 in Los Angeles. *The Nation*, in reviewing the anthology of California verse called *Outcroppings*, chose Ina's eulogy as the book's premier poem.

At the *Overland Monthly* office in 1869, Ina Coolbrith met another outstanding California woman writer, Josephine Clifford McCrackin. Like Ina, McCrackin beheld a stately and noble presence, with hip-length, wavy chestnut hair and dark eyes. This lucrative author, concerned with conservation, wrote an autobiographical novel about her husband. Shot during the Civil War, he had gone insane and died. Josephine Clifford said of Ina Coolbrith: "Ina Coolbrith, the star always, beautiful in form and figure as she was brilliant in mind, whose face held an expression too serious for her later years. " She and Ina were friends until death departed, even sharing the title of poet-laureate in 1915. But, while Clifford remarried, Ina let her youthful tragedies affect all her years.

Ina Coolbrith entered 1870 with a heavy heart. She looked in one direction only: the way she had come. Amidst the New Year revels, she wrote, "Why should I celebrate? What do I owe these years?" Meditating, she tried to shake off the bitter mood. She delighted in nature, in birds and flowers. She loved to create poetry. And she loved informal and intellectual talks with friends. But true happiness, true contentment, these were not hers.

INA STEPPED OUTSIDE into the night air that New Year's Eve, to show Bret Harte her poem entitled, "The Years." At the *Overland Monthly* office, her usual calm and cheerfulness returned. With scorn, Harte presented her with a volume of verses singing of Joaquin Murieta, a legendary outlaw created by one Cincinnatus Hinus Miller from Oregon. Ina praised Miller's work.

That July, Miller visited San Francisco. He and Ina "did the city" together, visiting many authors and actresses. One evening, after collecting laurels to crown Lord Byron's fresh grave, the whimsical Ina suggested Miller improve his image. She told him to change his name to Joaquin, and to wear the garb of a mountain man. Miller heartily did so. That evening, she created the poem, "With a Wreath of Laurel." Joaquin Miller later placed this wreath on Lord Byron's tomb in London along with Ina Coolbrith's poem. The king of Greece set another wreath beside these, and covered them over with glass.

Many of the frontier literary greats left San Francisco by 1870. Although Coolbrith received offers from eastern presses to travel Europe, she did not go. She instead stayed in the bay area to support her mother, a niece and a nephew orphaned after the death of her sister Agnes, and Calle Shasta, Joaquin Miller's daughter. Miller felt Ina the best caretaker for his daughter.

In September 1873, Ina Coolbrith became the librarian for the Oakland Free Library, earning a respectable monthly salary of $80. There she influenced such writers as George Sterling, Isadora Duncan, and Jack London in their youth. "You were a goddess to me," London once wrote the aged Coolbrith. "I didn't know you were a poet, or that you had done such a wonderful thing as write a line."

In 1892, Ina Coolbrith rudely and abruptly lost her job at the Oakland Public Library. Struggling with rheumatism, she found it hard to meet financial needs. The Bohemian Club, a men's order, honoring Coolbrith in 1870 as their only woman member, set up a small stipend to ease her worries. The Ina Coolbrith Club, dedicated to keeping the history and literature of California alive, also gave her an income.

Ina Coolbrith spent the rest of her summers in her home on Russian Hill, near the old Louis Stevenson home. She visited New York often, for winter and for work. In 1895, her book *Songs from the Golden Gate* was published and her fame spread across the sea.

Ina Coolbrith wished only to be buried under the long grass which swept the plains she trudged over on he way to California. Those who loved her instead covered her casket with Lily of the Valley and fresh-cut roses. She rests at Mountain View Cemetery, in Piedmont, California.

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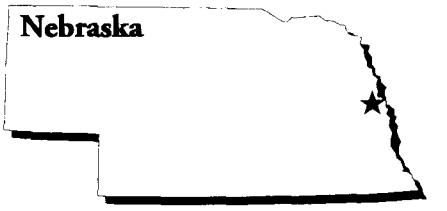
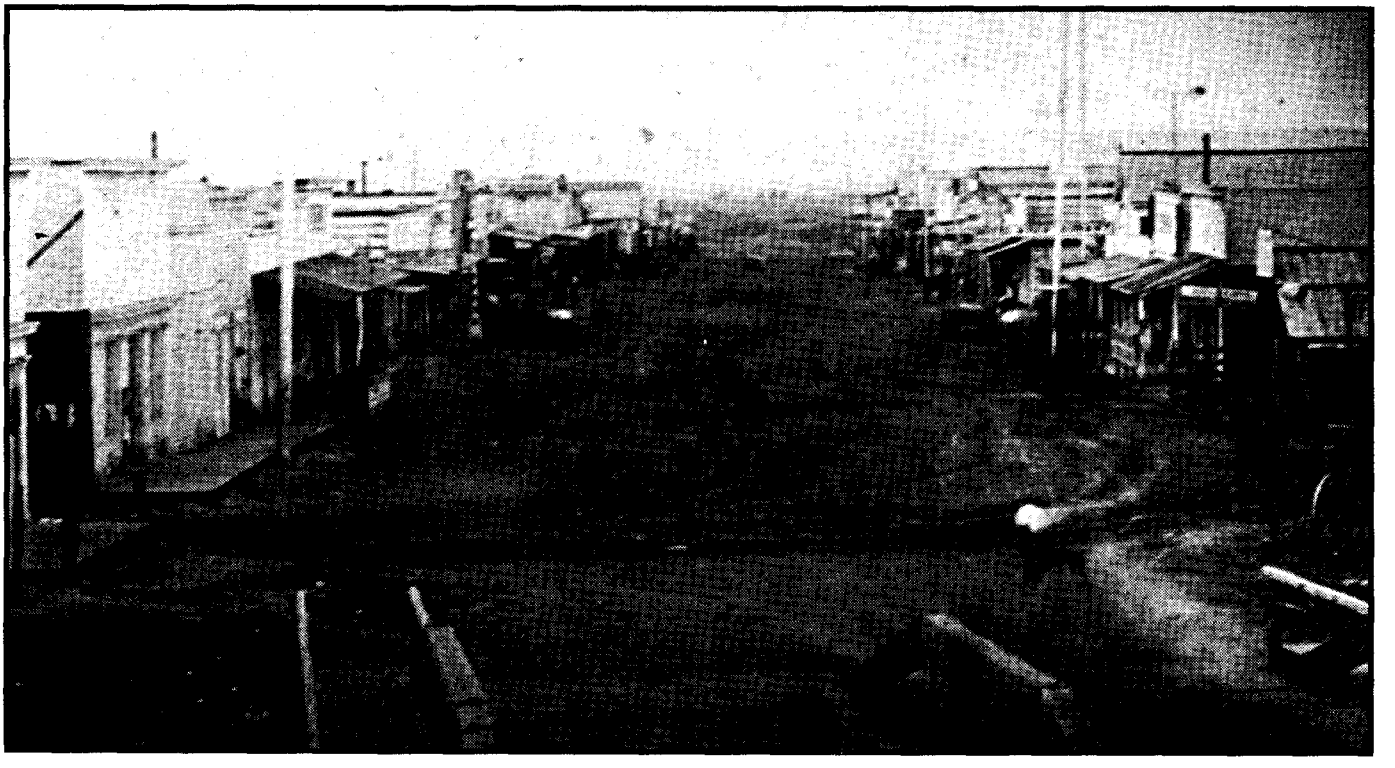
Following the Civil War, ex-Confederete guerrila William McWaters roamed the plains, going from one violent escapade to another. In Part One of our story, McWaters and his partner, John Crook, had just seperated after an 1874 murder in Nebraska City, Nebraska.



The Terrible McWaters

Part Two • By Elmer D. McInnes



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Walla Walla, Washington, as it looked at the time of of the ambush and murder of George Tweed in nearby Sparta. William McWaters was a prime suspect.

William McWaters next appeared in Hays City, Kansas, in early June 1874. Almost immediately he was arrested by the county sheriff on the strength of a telegraphed description and lodged in the Hays City jail. His incarceration proved short-lived. After only a night or two behind bars he repeated his Nebraska City exploit by locking the deputy in his cell and escaping on a stolen horse. Reportedly, the horse belonged to the sheriff.

At this point, according to McWaters' later story of his travels, he decided to leave his usual haunts and head north. In Idaho he worked for a miner for two weeks before his identity became suspect and he was forced to move on. Heading north once more, he finally stopped in the Blackfoot Indian country of northern Montana. Again according to McWaters, he was taken in by a group of Blackfeet with whom he lived for a number of months. This arrangement also proved temporary. Sometime in the fall of 1874 he quarreled with a brave over a bottle of whiskey, shot the Indian dead, and was forced to flee one step ahead of a scalping party.

The desperate fugitive next appeared in the sparsely populated area of northeast Oregon at the town of Sparta, some 100 miles south of Walla Walla, Washington Territory. One evening, while drinking in a local saloon, he was seen to quarrel with one George Tweed (or Weed). Later that night, as Tweed left the saloon and was walking home, a rife slug slammed into his back, killing him instantly. Although he later denied the charge, McWaters was widely suspected of

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Nebraska State Penitentiary.

the ambush killing. Whatever the truth of his guilt or innocence, McWaters hastily shook the dust of Sparta from his boots and headed for California with a $1,000 reward on his head issued by the governor of Oregon.

In mid-October, a Sacramento, California, peace officer recognized William McWaters from the description in an Oregon wanted circular and arrested him without incident. Later that month, Otoe County, Nebraska, Sheriff Farber journeyed to California. Deciding that Nebraska's claim took precedence over that of Oregon, Sacramento officials released McWaters to him. Farber arrived safely back in Nebraska City with his prisoner on November 4, after a watchful and tense journey.

The trial of McWaters for the murder of Rudolf Werth was scheduled for December 11. Meanwhile, as the notorious badman awaited his fate, various newspapers around the country gave their readers swashbuckling accounts of his life and crimes. The *New York Dispatch* concluded, "he is a splendid specimen of that class peculiar to America but now being killed or hanged off—the frontier desperado...." Another commented, "[He] is known from Nebraska to Oregon as the terrible McWaters—a living personification of just such characters as figure in dime novels."

The trial occupied four days of the Otoe County District Court, finally concluding Tuesday, December 15. After being out about six hours, the jury returned with a verdict of guilty of murder in the second degree. Judge Gantt sentenced the hardened criminal to the Nebraska State Penitentiary at Lincoln for a term of twenty-one years. Although he had displayed a stoic resolve throughout his trial, McWaters broke down when he heard the sentence. Later, when his family visited him in his cell, he reportedly wept bitterly, as did his wife and two children. "So far as I am concerned, I do not care; but the idea of leaving my wife and children for twenty-one years is enough to drive me crazy," he confided to Sheriff Farber.

ALTHOUGH HE HAD DISPLAYED A STOIC RESOLVE THROUGHOUT HIS TRIAL, MCWATERS BROKE DOWN WHEN HE HEARD THE SENTENCE.

On December 21, 1874, William McWaters entered the Nebraska State Penitentiary as inmate #153. He is listed as a thirty-year-old farmer, standing five feet, eleven inches tall, fair haired and of light complexion. His habits are recorded as "intemperate," his education fair, and the length of his feet as eleven inches. At this time the Nebraska prison, as were most prisons of the nineteenth century, was a stifling, forbidding institution. Stocks and "bull rings" were often employed as disciplinary methods. On the inside, McWaters was reunited with his erstwhile enemy, twenty-nine-year-old Quinn Bohannon, who had been sent up in September on a four-year term for grand larceny. Also, a twenty-four-year-old career criminal named Eldridge Geary, serving the first of an eventual three terms in the Nebraska penitentiary stretching well into the mid 1890s, this one a four-year sentence for grand larceny. Prior to McWaters' arrival, Geary had been secretly masterminding an escape attempt with a nucleus of six or seven other prisoners. McWaters' aggressive nature and leadership now ensured that the breakout plot would come to fruition.

On the evening of Monday, January 11, 1875, the city of Lincoln was thrown into confusion by the appearance of one of the state prison guards racing on horseback up and down the streets yelling, "Mutiny at the pen!" With the absence of Warden William Woodhurst, who was conducting business in town, McWaters, Geary,

Continued on page 35

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TRUE WEST LEGENDS
WILL CARVER

September 12, 1868—William Richard Carver is born to George A. and Martha Jane (Rigsby) Carver in Wilson County, Texas. Will, named after his grandfather William Richard Carver of Comanche County, Texas, also has an older sister, Frances E. Carver.

1869-1872—In January 1869, Will's father and grandfather flee Texas after a gunfight involving a large family. George is presumed dead, and Martha marries Walter S. Causey on April 16, 1872. The family moves to Bandera County, Texas, and six more siblings are born into the family.

1889-1892—Soon after his sister Fanny marries Frank Hill on November 8, 1880, Will follows his Uncle Dick Carver to Sutton County, Texas, where they find work as ranch hands with the Sixes Ranch. While there, Will meets the Kilpatrick brothers, the Ketchum brothers, and members of the Byler family.

February 9, 1892—Will marries Viana E. Byler in San Angelo, Texas. However, Viana dies of pregnancy complications on July 22, just five months later.

December 12, 1895—Will and Sam Ketchum are partners in a saloon business in San Angelo, and customer John N. Powers argues with them over his gambling debts. Powers is murdered near his home, and Will and Sam are considered suspects. They immediately leave the area, prior to the arrest of Mrs. Powers and her lover.

May 14, 1897—Will becomes a member of the Black Jack Ketchum gang and participates in a train robbery at Lozier, Texas. The gang also hits a number of small post offices throughout Texas and New Mexico with varying degrees of success.

September 3, 1897—Together with Ben Kilpatrick and Sam and Tom Ketchum, Will robs the Colorado and Southern Flyer Gulf Express at Folsom, New Mexico. The outlaws escape with $3,500 and hide out at the W S Ranch in Alma, New Mexico. While at the W S, Will uses the alias George W. Franks and meets Butch Cassidy and other members of the Wild Bunch.

December 8, 1898—Seven outlaws, including Will and his deceased wife's nephew, Ed Bullion, hold up the Southern Pacific Railroad train #20 at Stein's Pass, New Mexico. A shootout results in young Ed's death, and Will pays a visit to his in-laws at Dove Creek, Texas, to give them the news. Will begins courting Laura Bullion, Ed's sister and Viana's look-alike niece.

June 2, 1899—The Union Pacific Overland Flyer Number One is stopped just past the old Wilcox, Wyoming, station house. Will, Harry Longabaugh (the Sundance Kid), Harvey Logan (Kid Curry), Flatnose George Currie, Lonnie Logan, and Ben Kilpatrick (the Tall Texan) blow up the bridge, the train, and the safe before escaping with about $3,400 and some jewelry. During the posse chase, Sheriff Josiah Hazen is killed by Logan.

July 11, 1899—Will rejoins the Ketchum gang for a second train robbery at Folsom, New Mexico. The outlaws escape to their campsite in Turkey Canyon with about $50,000, and Will leaves camp just before Sheriff Edward Farr and a posse come upon the outlaws. The ensuing gunfight ends with Farr's death.

By Donna B. Ernst

Photo courtesy of Causey Family

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True West Legends

Will Carver

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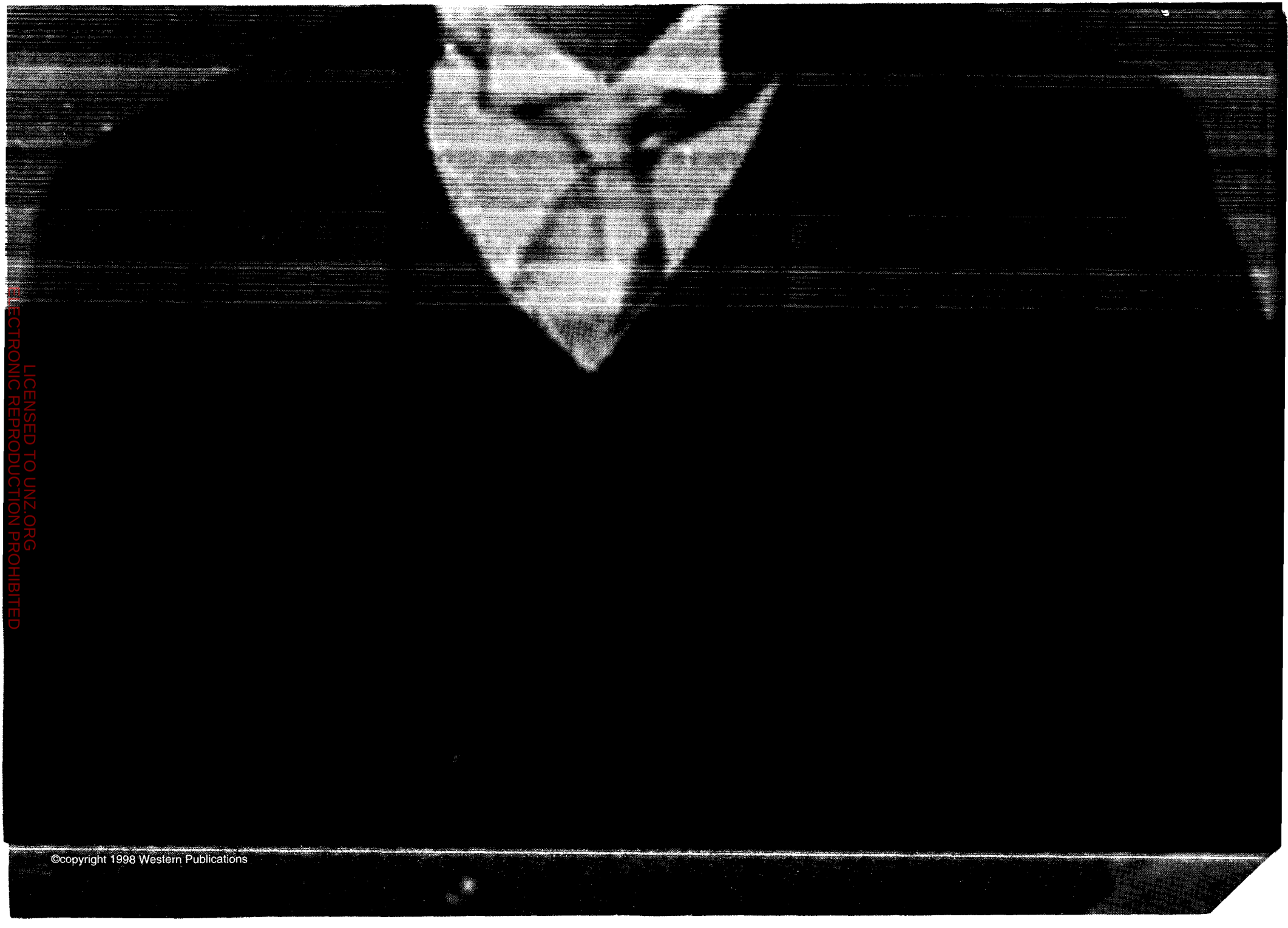

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and the wounding of two bandits Elzy Lay and Sam Ketchum.

September 19, 1900—The Winnemucca National Bank in Winnemucca, Nevada, is held up by Will, the Sundance Kid, and Harvey Logan. They escape with $32,640 and soon meet up with Butch Cassidy. Will heads back to Texas for a reunion with Laura, who eagerly leaves home with him.

October 1900—Will leaves Laura and meets prostitute Lillie Davis at the San Antonio Exposition. He introduces himself as Bill Casey.

November 21, 1900—The Wild Bunch—Will, the Sundance Kid, Butch Cassidy, Ben Kilpatrick, and Harvey Logan—have their photograph taken at the John Swartz studio in Fort Worth, Texas. The picture is later used with great effect by law enforcement officials to identify the outlaws.

December 1, 1900—Will, alias Bill Casey, marries Callie May Hunt, alias Lillie Davis, in Fort Worth. They hold their wedding celebration at the Maddox Flats apartments. Callie mails their marriage license to her father in Palestine, Texas, to clear her name back home. Will and Callie travel through Colorado on a honeymoon trip, taking Harvey Logan and his girlfriend, Annie Rogers, with them. On December 23, Will sends Callie home to her father with $167 in gold coin. Callie never sees Will again.

April 2, 1901—Will, Harvey Logan, and brothers Ben and George Kilpatrick case the First National Bank in Sonora, Texas. Sonora Sheriff Elige Briant receives a wire for their arrest in the murder of Oliver Thornton at the Kilpatrick Ranch in Eden, Texas. Will and George are recognized at the Sonora Bakery and confronted by Briant and three deputies. A shootout begins during which both outlaws are wounded. Within a few hours, Will Carver dies in the Sutton County Courthouse.

Spring, 1901—Will's sister, Fanny Carver Hill, places a headstone on his grave. Its only inscription reads, *April 2, 1901*.

The famous Fort Worth Five photograph.

WHAT TO READ

From Cowboy To Outlaw: The True Story of Will Carver, by Donna B. Ernst.
Sutton County Historical Society, 1996.
Black Jack Ketchum, by Ed Bartholomew.
The Frontier Press of Texas, 1955.
The Outlaw Trail: The Story of Butch Cassidy and The Wild Bunch, by Charles Kelly.
Bonanza Books, 1938; reprinted by University of Nebraska Press, 1996.
Will Carver, Outlaw, by John Eaton.
Anchor Publishing Company, out of print.

WHERE TO GO

Sonora, Sutton County, Texas. Will Carver's grave is located in the Sonora Cemetery. The inscription reads only *April 2, 1901*. The courthouse in which Carver died stands in the center of town and is still in use today. The jail in which his partner George Kilpatrick was held is now the Sutton County Historical Society Museum.
Bandera, Bandera County, Texas. The Bandera County Library houses many local historical records as well as area history books, and the local cemetery has many Causey graves in it. Also located in Bandera is The *Frontier Times* Museum, chronicling the magazine founded by J. Marvin Hunter.

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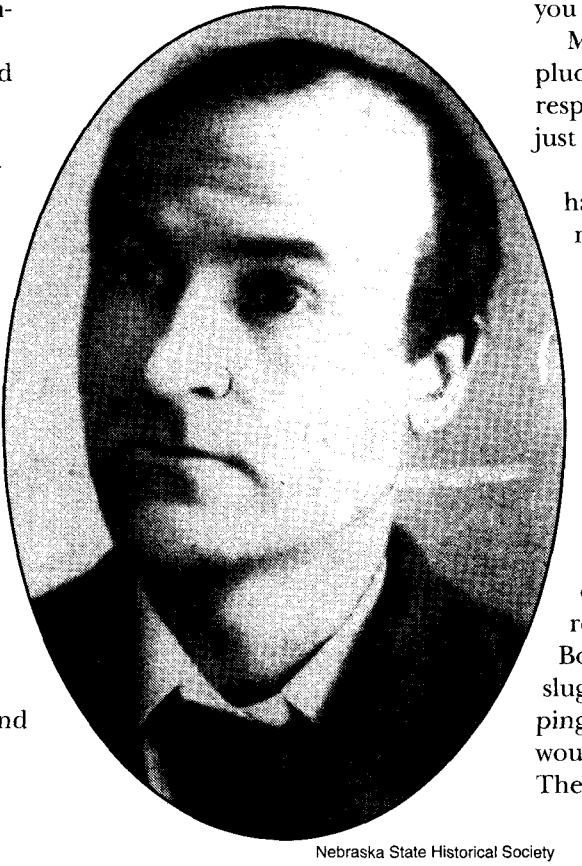
Continued from page 30

and Bohannon decided to put their plan into action. Also involved in the attempted prison break was Thomas O'Neill, 21, on the fourth year of a ten-year sentence for man slaughter; George Elder, 20, an attempted murderer on a five-year sentence; Oliver Wright, 19, serving four years for robbery; John Ennings, 18, serving a two-year term for burglary; and Thomas Kinney, serving a two-and-one-half-year sentence for robbery.

The convict's revolt commenced in the prison workshop. The shop guard was taken unawares, disarmed, and made a hostage. A few minutes later Deputy Warden C.J. Nobes entered the workshop on his regular rounds. The convicts took him prisoner at the point of the rifle appropriated from the guard. Ordering Nobes to turn over his keys and disrobe, he was then bound hand and foot as McWaters dressed himself in Nobes' clothing and blackened his face in order to resemble the bearded Deputy Warden. Leaving three men to watch over Nobes and the guard, McWaters, impersonating Nobes, marched his accomplices before him in regular prison formation and headed toward the armory. The ruse worked long enough to allow the convicts to capture a few more guards and lock them in cells. They then broke into the prison armory where each man armed himself with weapons and ammunition, before making a break for the main doors of the penitentiary.

Unfortunately for the success of the would-be escapees plan, Deputy Warden Nobes managed to slip his bonds. Seizing a conveniently positioned hoe, he scattered his captors with a few deft swings and rushed outside to alert the guards on the wall of the mutiny. As McWaters and company reached the main doors and stepped out into the yard they were met with a hail of lead from the turret guards. Rushing back inside the prisoners began a return fire from the windows. Soon, Warden Woodhurst and a number of armed townspeople arrived on the scene and surrounded the institution.

One unfortunate aspect of the affair, perhaps more so for the mutineers than anyone, was the taking of Mrs. Woodhurst, the warden's wife, as hostage. Caught in the warden's private residence within the prison walls at the outset of the attempted break-out, she proved a most courageous, tenacious woman who would continually hinder the convicts at almost every turn. Two or three times over the course of the evening she appeared at various windows, warning people away and revealing the prisoner's plans, only to be forced back at gun point. At one point, while the prisoners' attention was momentarily focused elsewhere, she managed to snatch four of their rifles and lock them in a closet. Finally forcing her to return them, an exasperated McWaters swore an oath at her, for which she hotly scolded him.



Nebraska State Historical Society

Quinn Bohannan, on his first of two entries in the Nebraska State Prison in 1874.

Again, later in the evening, Mrs. Woodhurst managed to appear at a window and reveal to the outside the convicts' plan of rushing out behind the captured guards. McWaters again took her to task. "Mrs. Woodhurst, we cannot have you deviling around in this manner. If you don't stop it, we will put you forward, and rush out after."

"No you don't!," she yelled at him. "You dare not do that! I dare you to do that!"

McWaters sighed. "You are the pluckiest woman I ever saw," he responded. "I admire your pluck. It just suits me."

In between sessions of trying to handle Mrs. Woodhurst, the mutineers occasionally returned to the main doors and exchanged desultory shots with the guards and the ever increasing crowd of Lincolnites. The only casualty of the affair not self-inflicted came on one of these occasions. Quinn Bohannon was seen to deliberately aim his rifle out a window and fire at guard Julius Grosjean, crouched in the southwest turret. Luckily for Grosjean, Bohannon's aim proved low, the slug ripping into his knee, dropping him seriously, but not fatally wounded, to the floor of the turret. The self-inflicted injury came when Charlie Cole, the prison bookkeeper, accidentally shot himself in the foot during the siege.

Early on the morning on Tuesday, January 12, members of the Twenty-third United States Infantry, an experienced Indian fighting troop commanded by Indian wars veteran Major George Randall, arrived from Omaha. Just before the troops were able to position themselves around the prison, the prisoners made one last desperate bid for freedom. Bursting through the front doors the eight men dashed out into the yard only to be met by a withering fire from the guards and townspeople. Hastily, they reversed course and rushed back inside. By mid- morning, McWaters, Bohannon, Geary,

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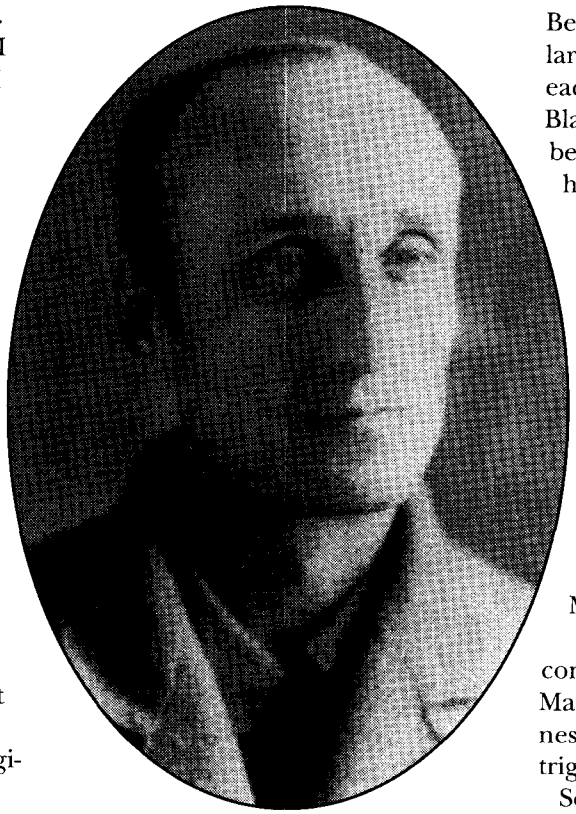
company realized the hopelessness of their situation and surrendered.

Partly as a result of the mutiny, early in February, the Nebraska State House of Representatives initiated an official investigation into the penitentiary. All eight participants in the mutiny were questioned, as well as other prisoners, prison guards, and officials. Various stories of poor food, abuse, and tortuous punishment were related. William McWaters was interviewed by the committee on February 12. He is quoted, in part, as stating, "I was one of the mutineers. When I first came here, there were a few planning for the mutiny. Officers have treated me badly, and have imposed on me continually.... I won't live here a year, I know." With the words, "I won't live here a year," McWaters proved himself as accurate as any prophetic seer.

Late in February, McWaters, Eldridge, Geary, and Tom O'Neill were found to have seven cold chisels and a stone hammer secreted in their cells. They were employing these on the mortar of their cell walls. The fact of Woodhurst having been replaced as warden by Captain Wyman, probably as a direct result of the official investigation, obviously had no effect on the incorrigible conduct of the prisoners. The tools were confiscated and the core of troublesome convicts closely watched. Tensions ran high at the penitentiary throughout the winter and well into the spring, everyone expecting something to happen. That something finally happened on the afternoon of Wednesday, May 26. This particular afternoon everything moved along routinely in the stone house as some thirty convicts toiled over their work with hammer and chisel. The only difference may have been a heightened sense of alertness on the part of the guards. The added tension came about as the result of a note which had been found about one week previous. According to prison officials the note, addressed to Geary, detailed plans for another attempted prison break, including the killing of a guard named Kolkow and Deputy Warden Nobes. This development brought Nobes back from vacation a week before he had planned and set everyone at the prison on edge.

Guarding the prisoners in the stone house on May 26 were overseer Edward Cochran and guard Hugh Blaney. Blaney, a native Scotsman who had only recently emigrated to the United States from Northern Ireland, watched the convicts from the so-called "guards cage," an enclosure of wrought iron bars with a platform raised some six feet above the level of the workshop floor. Ironically, in describing the new guards' cages and other recent renovations at the penitentiary in a article about one month previous, the *Daily State Journal* of Lincoln commented, "...if at any time McWaters & Co. take a rambling notion, they can be shot from this standpoint with perfect ease, a clear conscience and two sixteen shooters."



Nebraska State Historical Society

Eldridge Geary, on his second of three entries in the Nebraska State Prison in 1878.

As work continued on the day in question, Geary raised his hand in a request to visit the privy. A few minutes after Cochran granted his request, McWaters raised his hand and made a similar request. Cochran waited for Geary to exit the facilities before allowing McWaters to proceed. As the two convicts passed each other in front of the guards' cage, McWaters jabbed Geary with his elbow and hissed, "I'll fix that son of a bitch now." Bending over, McWaters seized two large rocks and raised up, one in each hand. In the guards' cage, Blaney overheard the remark, and believing it had been directed at him, quickly leveled his rifle, aimed, and squeezed the trigger. Just as McWaters straightened to his full height, the slug ripped into his jaw, coursed downward through his heart, and exited above his left kidney. Never uttering a sound, the fatally wounded man stood still for a couple of seconds, then walked some twenty feet before collapsing as a corpse in the arms of Cochran. The "Terrible McWaters" was dead.

Despite his demise, McWaters continued to create controversy. Many accused Hugh Blaney of rashness and the possession of a nervous trigger finger in the shooting. Someone using the pen name "McMorlan" wrote a letter to the *Nebraska City News*, declaring McWaters' death as a case of cold blooded murder planned by Warden Wyman and Deputy Warden Nobes. Eventually, however, the waters were calmed and the Nebraska badman became a footnote in history.

As a final eulogy, the *State Journal* wrote, "everyone will agree that Nebraska has at last got rid of a desperate man...he heeded not warnings, but rushed headlong to destruction and as is generally the case with such characters, 'died with his boots on.'"

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The De Young Boys and Their Newspaper

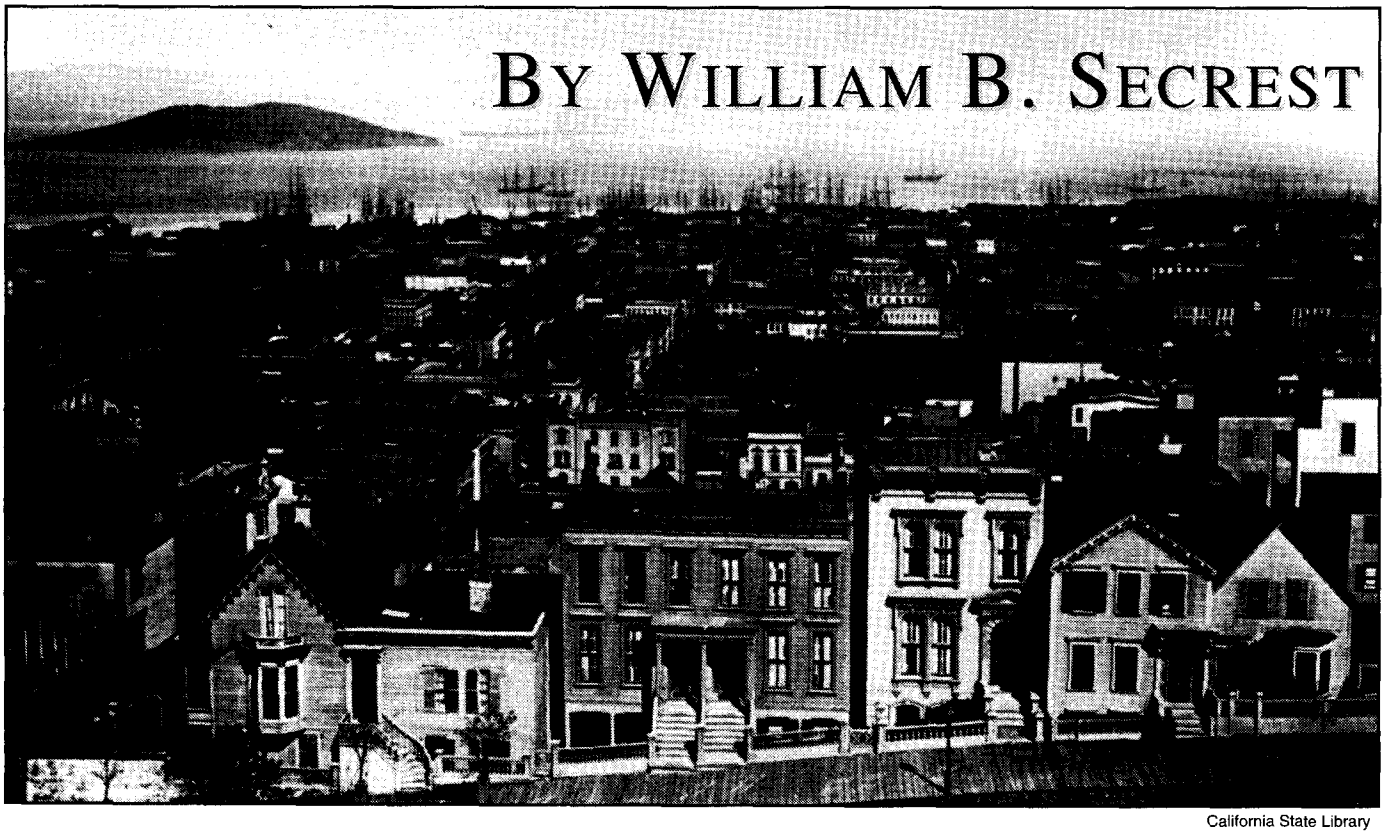
"De Young, Charles—age 32 in 1877.
De Young, Michael Harry—age 30 in 1877
De Young, Gustavus—age 34 in 1877.
Jewish Propretors of the San Francisco *Chronicle*, a notorious, libelous sheet."

So noted nineteenth century San Francisco police officer Edward Byram in his notebook. The book, devoted solely to a listing of criminals, is a clear indication of the officer's disdain for the owners of what would someday become one of the world's most influential newspapers. The de Young boys were indeed a feisty crowd and in the early days they scratched and clawed, and shot their way to the top of their profession. This is their rowdy story in the rowdiest city on the Pacific Slope.

Emigrating to America at an early age, Michael de Young operated a jewelry store in Baltimore for many years. He moved to New York with his wife Amelia and several children in the 1830s. By 1838 the family had moved to St. Louis, where de Young operated a dry goods shop, but soon the family moved on to Texas and Lousiana. By 1850 the family was living in Cincinnati, Ohio, with their eight children. The census of that year lists five girls in the family and three boys; Gustavus, 7 years old and born in Louisiana; Charles, 5 years old and born in Missouri; Michael, 3 years old and born in Louisiana.

In 1854 the family was again on the move, this time to gold rush California. They were aboard the

By William B. Secrest



California State Library

San Francisco in the 1870s was the home to a dozen newspapers, but the *Chronicle* was soon rivaling the big dailies in circulation.

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Mississippi River steamboat *Tecumseh* in April of that year when the father was suddenly stricken and died from apoplexy. The grief-stricken mother and her brood probably continued to New Orleans where they caught a ship for California. They took up residence in San Francisco later that year.

Although there was undoubtedly some money in the family, the frugal mother never remarried and the boys went to work early to keep the family solvent. Somehow they managed to obtain an education, and in 1860 both Michael and Charles were working for a small Jewish newspaper as typesetters. By 1864 Charles was a compositor at the *Alta California* newspaper, while the other boys kept busy at various odd jobs.

Late that year, the boys discussed the idea of a newspaper of their own. Michael had been clerking recently and had some idea about keeping books. Both Michael and Charles had much typesetting experience, while Gus could sell advertising. They would start small. All agreed that a four-page tabloid filled with advertising and distributed free to all the hotels, theaters, and saloons in town would have the best chance of succeeding. The ads would be mostly theatrical in content and they would sell contracts to print programs in the paper. There would be a sprinkling of reviews and local news, also. From the beginning Charles de Young was the guiding editorial force behind the enterprise.

The new paper would be called the *Daily Dramatic Chronicle.* There was only one problem. Having always given their meagre salaries to their mother, the boys had no money. Their mother's landlord sympathized with the boys' ambitions and that farsighted gentleman offered them a twenty-dollar gold piece. A local job printer fullfilled the balance of the boys' dream with a desk, some type, and some space in which to work. The first issue of the *Chronicle* was distributed on January 17, 1865, and although quite ordinary in style and content, it was impressive enough for three boys barely out of high school.

And savvy boys they were. Although the city was already chock full of newspapers of every variety, the new *Dramatic Chronicle* reportedly gathered a circulation of some 2,000 in the first month. The *Alta* would later comment ominously on the new paper's beginnings:

> ...Other newspapers had been Long and firmly established and were sufficient to satisfy the actual demand of the public....To follow a quiet life would have been death to his paper; novelty was the only thing that could keep it alive; sensation was the only process for novelty, and sensation was necessarily scandalous...

Their first big break came the following April. Mike de Young dropped in for a visit with the local telegraph operator and was asked if he heard the news. "What news?" he responded. The president, Mr. Lincoln, had been assassinated. When de Young was shown the dispatch, he memorized it and raced back to his brother at the *Chronicle* office. They quickly put together an extra which was greedily gobbled up by the public. They had scooped the city's big dailies by hours.

An example of the boys' choice to use sensation and scandal to fuel their new enterprise came when the *Chronicle's* alcoholic drama critic criticized the performance of an overweight Matilda Heron as Camille at Tom Maguire's Opera House. Maguire, whose programs were published in the *Chronicle,* tore up his contract and told the boys and their critic they were no longer welcome at his place. A tough little ex-hack driver from New York, Maguire no doubt thought he could easily buffalo his young antagonists. He quickly learned differently, however.

The *Chronicle* kept up a running attack on Maguire's Opera House, maintaining that respectable women patrons ran the risk of being seated next to the prostitute mistresses of gamblers who worked next door. Female performers at Maguire's, they alleged, were regularly drugged, assaulted, and outraged behind the stage. When Maguire had finished with his performers, they were passed on to his employees who frequently fought over the actresses' favors. Maguire sued the boys for libel, but they beat him at the preliminary hearing and kept up the assault.

When they had played this scenario for all it was worth, the boys attacked from another direction. A principal advertiser of the *Chronicle,* and rival of Maguire's, was the Metroplitan Theater. When the Metropolitan had a minor fire, the de Youngs intimated that Maguire was to blame because he loved to see the firemen running down the street pulling their hose and ladder wagons. The outraged Maguire sued, but again it was the de Young boys' day in court. Even more personal attacks followed and eventually Maguire's theatrical empire collapsed.

The public loved these squabbles, but it was this type journalism detective Ned Byram referred to so disdainfully in his personal notebook. And it was this type journalism which caused the de Young boys to begin carrying pistols.

By the summer of 1868, the brothers were ready to expand into a regular, daily newspaper and it worried Loring Pickering. As an owner of the *Daily Morning Call,* Pickering saw the potential of the de Youngs and their *Chronicle* and he sought to head off the competition. When he offered the boys a half interest in the *Call* if they abandoned their own paper, he was met with a cocky rebuke. They were not, they lectured the veteran newsman, in the business of making other persons' fortunes for them. The new *Daily and Evening Chronicle* was first issued on September 1, 1868. The claimed circulation at the end of the first year was 16,000.

When a school director named Richard Sinton charged the *Chronicle* with criminal libel, the case was heard before Judge Delos Lake. The boys had their work cut out for

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them since they had campaigned against Lake in a recent election and defeated him. On election night the defeated judge had growled, "I'll land those de Youngs in San Quentin yet!"

Mike and Charley were astounded when a friendly mayor appointed the defeated Lake to a newly-created municipal court. Mike de Young later recalled:

"After our bitter attacks on Lake, it was a mean trial. It was, in fact, one of the most remarkable cases ever tried in San Francisco. We declined to question the jurors, just let them come into the box. We accepted them as drawn. We knew we could prove our assertions. Judge Lake ruled out everything that came up in our favor. He evinced bitter feeling from the bench. He even interrogated the witnesses himself and suggested points to the prosecuting attorney. He could hardly be called a fair judge. But we fought him right down the line. The jury went out for ten minutes and came back and said, 'Not guilty!'

"We had called Sinton a bully and a blackguard and we had proved it. Judge Lake nearly fainted at the verdict."

Judge Lake's running for re-election caused the *Chronicle* to change its independent status. When the paper suggested lawyer M.C. Blake as an opposition candidate, the local Republican Party made it official. From that day to this the *Chronicle* has remained in the Republican fold. Judge Lake was shattered when he lost the election by a 2,000-vote margin.

Lake's term had only a few weeks to run when he noticed the de Young boys' names again on his calendar. It was the latest in a string of cases, all won by the newspaper. Mike and Charley, busy at their work, paid little attention to the matter, and when the case was called their attorneys asked for a continuance to subpoena their witnesses.

With his tenure to run for just a few more days, a beaming Judge Lake announced, "No, you cannot have a continuance. Please proceed to trial."

Going to trial without witnesses, the de Young brothers asserted they had acted in the public good, insisting the plaintiff was as they had maintained. Judge Lake was thunderstuck when the jury quickly agreed. Once again, the brothers were vindicated as Judge Lake brooded in his quarters.

Several hours after the acquittal, Charles de Young was approaching the *Chronicle* office when Judge Lake rushed from a doorway across the

THE DAILY
Dramatic Chronicle
SAN FRANCISCO, CALIFORNIA, WEDNESDAY, MAY 24, 1865
HAYES PARK
Maguire's Opera House
Metropolitan Theatre
UNEQUIVOCAL SUCCESS
DAN SETCHELL!
BARES IN THE WOOD
BIANCHI'S
GREAT ITALIAN
Opera Troupe
A REGULAR FIX
OLYMPIC
Gilbert's Melodeon
GREAT COMEDY NIGHT!
Academy of Music
MAGUIRE'S
ITALIAN
OPERA TROUPE
RIGOLETTO
DOOR-KEEPER
Bradley & Rulofson
CELEBRATED
Photograph Gallery
A. C. DIETZ & CO.
COAL OIL LAMPS
COAL OILS, &c.
BUY YOUR
CUTLERY

From *Journalism in California*

The *Daily Dramatic Chronicle*, the work of teenage boys, as it appeared in 1865, the year of its founding.

Author's Collection

The *Chronicle* building in the late 1860s when the de Young brothers were the talk of San Francisco.

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street wielding a heavy whalebone cane. The judge aimed at his head, but Charley managed to take the blow on his arm which shattered the cane and paralyzed his arm. Using the stub of cane as a sword, Lake now tried to stab the newsman, who desperately parried the attacks with his good arm. As the two men clinched, Lake drew a derringer and de Young threw up his arms shouting he was unarmed.

Charley weighed some 140 pounds, but he now grabbed Lake's gun arm and heaved the 240-pound jurist over his shoulder. As both men went down in a heap on the pavement, Lake pressed his derringer against the newsman's head and fired. The bullet merely grazed de Young's temple and ploughed into the thigh of a bystander across the street.

A policeman came running up at this time and, with the help of a spectator, managed to separate the combatants. Hauled into court on an assault charge, Lake insisted his weapon had merely gone off accidentally during the struggle, but despite the spirited interference of political cronies, he was stuck with a $300 fine. The de Youngs had won again and Judge Lake was now out of office.

In 1870 one Benjamin F. Napthaly was released from the local boys reformatory.

Applying to the *Chronicle* for work, he was given the job of cleaning up the place and when he showed some aptitude for reporting the brothers gave him the chance. Everything went smoothly for awhile, but eventually there was a dispute and Napthaly was thrown out on his ear. It was the beginning of a feud that would have tragic repercussions many years later. In time Napthaly hitched his star to that of a disreputable character named R.F. Fitzgerald, and the two managed to acquire *The Sun*, a feeble and dying tabloid barely able to publish from day to day. When the pair attempted to beef up their paper's foundering revenues by blackmailing insurance companies for advertising, a victim complained to the *Chronicle*. The response in that journal on April 31, 1874, was direct and to the point:

> ...He asks what he "had better do about it.' We reply, do not give them a cent, and if they annoy you, hand them over to the police and send them to San Quentin where they of right belong. Fitzgerald, the publisher...is by his own confession a thief, a liar, a bigamist and...a scoundrel. B.F. Napthaly the nominal editor, is a graduate of the Industrial School, a professional blackmailer, a hanger-on of the lowest gambling house and dens of prostitution, and generally, one of the most degraded specimens of hoodlumism.

This left little to the imagination and all hell broke loose. That afternoon *The Sun* came out with a blistering attack on the de Young family, including some sizzling accusations against the mother and sisters. The brothers promptly obtained a warrant charging criminal libel, then girded themselves for war. The public smelled blood and grabbed up *The Sun* as fast as it appeared on the streets. Newsboys were charging as high as $2.50 for the last issues of the paper, the final copies being rented for twenty-five cents an hour. It was late in the day when word got out the issue was to be repeated and Gus de Young burst into the *Sun* office and caught Fitzgerald bending over a printing form. Knocking the publisher across the room, Gus was coming at him with a pistol when several pressmen scooted their boss out a back door and disarmed his assailant. While either Mike or Charles de Young, or both presumedly, were hunting for Napthaly, police rounded up all the *Sun* employees and hauled them into court where bonds were fixed at $2,000 each. Gus, meanwhile, did his best to wreck the *Sun* office, breaking furniture and scattering type. When dismissed by the judge, the *Sun* employees returned to their shop and began cleaning up the mess. It had been a hectic day.

Sunday morning dawned the next day and church bells tolled across the city. Police Captain Isaiah Lees was having his morning coffee at headquarters and looking over the past night's criminal activities. As head of the detective force, Captain Lees kept a close eye on San Francisco, and his wife had long ago accepted his erratic and long hours. He had known the de Young boys for some years and was aware they often went about armed. Watching their newspaper grow and flourish, he had admired the abilities of the spunky young men.

As he looked over his reports the detective was surprised when Mike and Charles de Young asked to see him. Lees had heard of the raucus happenings of yesterday and quickly ushered the excited young men into his office. Word was out that the *Sun* was again preparing to issue their offensive edition of the previous day and the de Youngs were on their way now to stop it.

"Is there going to be trouble?" queried the captain.

"We don't know, but if that type is being re-set there might be. We are going to swear out another warrant at least, if it is."

Thinking he had better go along in case he could circumvent any trouble, Lees accompanied the brothers to the *Sun's* upstairs address, but found the door locked. The detective was apparently prowling around looking for another entrance when Mike knocked out a door panel and the brothers burst into the room, followed shortly by Captain Lees. It was quickly determined that the offensive story was again being readied for publishing, so Lees herded the printers into another room under the care of a police sergeant, while he and Charles de Young sought a judge and a warrant.

When Captain Lees returned with a warrant, the printing staff was hauled off to the city prison while calls were again sent out for bail bondsmen.

The press of the city was aghast at the sudden assaults of the two papers. Under the headline,

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"Yesterday's Furore," the *Alta California* commented:

> ...Severe as was the attack in the Chronicle, the evening issue of the Sun electrified everyone by the method it adopted of retaliating for the attack made upon it by the morning paper.
>
> The news ran abroad that the editors of the Sun had a scathing editorial of a column and a half purporting be a history of the lives and times of the proprietors of the Chronicle, but worse than all, had resorted to the degradation of introducing into the account a mention, in unpardonable terms, of the mother and sisters of the publishers of the Chronicle.
>
> The affair soon became noised about, and...soon the first edition was exhausted....

The next morning Ben Napthaly, who had been named in the indictment, made his way to the police court and asked an officer to escort him inside so he could post bail. At this moment Gus de Young spotted him and opened fire. As Napthaly sprinted for his life, Gus emptied his pistol, but only managed to singe the ear of the policeman. The officer seized the gunman and took him into police headquarters for booking.

As the desk sergeant wrote up Gus, Mike and Charley walked in the door. The brothers were arguing at the desk when the unlucky Napthaly strolled in to surrender. Right there in police headquarters, Mike de Young went for his pistol, but was quickly pinned against a wall and disarmed by an officer. Charley then had to cough up his derringer, also. The three brothers were all charged for their actions and bail set at $27,000. Ben Napthaly was offered bail by friends, but decided a stay in the city prison might be much better for his health.

The charges against the de Youngs worked their way up to higher courts where they were ultimately dismissed. In the course of the trials the *Chronicle* was forced to print all the nasty *Sun* charges and counter-charges the same as the other dailies. The *New York Times* later reported:

> De Young's aged mother never saw a line of these proceedings, for a special edition of the Chronicle, consisting of one paper, was struck off and sent by special messenger to her home every day. The forms were then lifted from the press, the full "news of the day" was then inserted, and the regular edition was printed as usual.

The libel actions against the de Youngs by Fitzgerald, however, were another matter. The judge ruled: "This does not hold water. The character of that person [Fitzgerald] being so imfamously bad, by his own admission, he is not susceptible to damage by libel."

Unable to make much headway against the de Youngs, Napthaly pressed charges against Captain Lees for unofficerlike conduct. The canny detective, who once commented that he prized his honor above his life, wasn't about to be cornered by someone of Napthaly's character.

Acting as his own attorney in a hearing before the police commissioners on April 2, Napthaly called Charles de Young as his first witness. The story of that Sunday morning was recounted with de Young stating that Lees was not present when his brother Mike broke in the door. If Captain Lees had not been there, insisted de Young, serious trouble might very well have resulted.

During the examination of several typesetters, all admitted that nothing was broken after Lees entered, that he treated everyone properly, and that no violence was offered to anyone.

When the detective captain quoted various passages from legal journals justifying his actions, Napthaly saw his case go out the window. The commissioners unanimously agreed to dismiss the charges.

The *Sun* had set for the next few months, but eventually staggered to its feet again. When Napthaly decided to liven up his pages with a few mild cracks about the de Youngs, he got more than he bargained for.

The *Sun* editor was talking to a friend on Montgomery Street on June 15 when Charles de Young spotted him. Noticing the *Chronicle* man just as he was closing in, Napthaly made a dash for the police station which was only a block away. De Young rushed after him trying to get a clear shot as he ran, but when he tripped on a cobblestone his quarry rushed into Dunbar Alley and into the back door of the police station. Running through the station, Napthaly was screaming, "I am unarmed and he's after me again with a pistol!"

De Young arrived seconds later and saw that his target had eluded him. He sat down and watched a poker game in the station instead of pursuing the hated *Sun* editor.

The next day Charles was a little more careful. Posting himself outside the new Appraiser's Office Building, he was leaning against a fence in a heavy overcoat with the collar turned up and a scarf further hiding his face. Napthaly came out of the post office and walked right past de Young who quickly fired and missed. Standing behind a lamp post, de Young fired several times at the dodging figure of the *Sun* editor, who seemed to be doing a jig in the middle of the street. By now Napthaly had his pistol out and the two men exchanged six or seven shots without scoring a hit on each other.

Pedestrians scattered in every direction during the firing, but the only casualties were a young girl who fainted and a Western Union boy who took a bullet in the leg. Napthaly finally made it into a building, and as de Young yelled for him to show himself, both were arrested and hauled off to police court.

At their preliminary hearing, both men claimed the other had fired the first shot and they had merely responded to the attack. Napthaly did a creditable job as his

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own counsel and charges were dismissed against him. De Young was held for trial, but some months later Napthaly had the charges dismissed. He admitted at the time that he actually admired the de Young boys and in later years would become a good friend of Mike.

The press generally agreed that although the *Sun* over-reacted to the original *Chronicle* article, certain aspects of such "disgraceful journalism" made some kind of sense. The *Daily Oakland News* commented:

> A fine illustration of the tendency of chickens to come home to roost is the tribulation of the Chronicle. Of course the Sun article was as vile and scurrilous as words could make it, and had the persons attacked been other than the de Youngs, shooting would be none too bad for the author. But that the Chronicle people should raise such a howl at getting a dose of their own medicine is of a piece with the conduct of a joker who loses his temper at a witty repartee. The Chronicle has carried the reputation of a merciless scandalmonger, and does not deserve the least sympathy.

The *San Jose Mercury* agreed:

> The Chronicle publishers, who have never let an opportunity pass to assail the private character of those whom they don't like,... made a most unprovoked attack through their paper, on the editor of the Sun. The Sun came back at them the same day in a manner that was calculated to astonish....The de Youngs can now ruminate on the delight of having their own private affairs paraded before the public as they have often served others.

So far as the public was concerned, it was pretty much a case of "a plague on both your houses." But the boys had drank too deeply from the cup of power and they continued their rowdy ways. In April 1874, they lost a slander suit against a woman that cost them $3,000.

In October 1876 the *Chronicle* referred to the Duane brothers as "squatters" (one of the nicer things they could have called them), resulting in John Duane punching out Charley de Young when he caught him on Clay Street. It cost Duane $250, but was probably worth it.

The following year there were libel suits in Stockton and Placerville. Congressman H.F. Page sued them and a great many public officals were called to testify in Placerville. In October 1878 a hung jury resulted in their release, but they were already being sued by Dr. C.C. O'Donnell. The doctor, a member of the new legislature, resented being called an abortionist and had Mike and Charley hauled into police court where they secured bonds of $1,000 each. The case was dismissed on December 23, 1878, when the de Youngs easily proved their case and wrecked the doctor's burgeoning political career.

But circumstances that would disastrously effect the *Chronicle* were already in place. In June of 1879 the de Youngs printed a small item in reference to the coming city elections. It was headed by "Reprinted from the Wichita, Kan., *Herald* of June 29, 1879":

> The Reverend Ike Kalloch of Boston scandal fame, who achieved some notoriety in this state as a self-adjustable lawyer, preacher, politician and common barroom loafer, who smoked poor cigars and drank poorer whiskey, and who jumped Leavenworth and Lawrence, leaving a long list of creditors to mourn his untimely departure, is Kearney's candidate for Mayor of San Francisco.

The 1870s had been difficult years for the country. Depressions and labor troubles had resulted in unemployment, strikes, and riots in various large cities and San Francisco was not to escape. Here, the Chinese were a ready scapegoat and were blamed for much of the unemployment, although they frequently held jobs that white men wouldn't consider. The match to start the conflagration was one Denis Kearney, a San Francisco teamster.

By the summer of 1877, Kearney had become the leader of a mob of unemployed who gathered on the city sandlots to hear his radical, socialist speeches and denunciations of the Orientals. "The Chinese must go!" became a rallying cry as thugs and hoodlums infiltrated the unemployed workingmen's ranks. In July a meeting of some 6,000 unemployed was held at a sandlot near City Hall, but quickly erupted into a riot. Thousands ranged through the streets for the next few days, burning, looting, and fighting a combined force of police, national guard, and citizen volunteers. Out of this inferno was forged the new Workingmen's Party, headed by Denis Kearney.

Kearney's speeches became more and more radical and violent. It was first thought that the new political party would be a release for some of the agitators, but when a Workingmen's Party candidate was actually elected to the state legislature, it was a wakeup call for the city.

The *Chronicle*, one of the few newspapers tolerant of the new party and its talk against corporations, now suddenly saw a monstrous serpent straddling the Golden Gate. "If Denis Kearney and his gang obtain control of San Francisco," warned Charles de Young, "there will be given to the city to regret and lament the worst spectacle of misgovernment ever seen in the Republic."

Heading the Workingmen's sleazy slate for local offices was the Reverend Isaac S. Kalloch, labeled by the de Youngs as a "tainted preacher." And tainted he surely was.

Kalloch had come to California in 1876. His appearance alone made him a striking figure, weighing some 240 pounds with a great mop of flaming red hair and matching whiskers. In Boston at age twenty-three, he had been minister of the famous Tremont Temple, said to be the largest church in the country. When he was discovered in a hotel

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room with a parishioner in the winter of 1857, a sensational trial barely acquitted him and he left town.

He turned up in a New York pulpit sometime later, but before long was caught with a choir girl with the same moral ideas as his own, and again fled. This time he headed west where he founded a railroad and newspaper in Kansas. Establishing a hotel and various other enterprises, Kalloch spread himself much too thin and soon was compelled to move west again.

In California Kalloch soon wheedled himself into being pastor of the huge Baptist Metropolitan Temple, between Market and Mission streets. When he espoused the Workingmen's cause, his colorful oratory and church following made him an ideal candidate and he found himself on the ticket as the mayoral nominee. When Kalloch was nominated, the de Youngs unleashed a bitter name-calling campaign, culminating on August 20, 1879 with a two and a half column report of his old adultery trial headed, "The Record of a Misspent Life." A raw and outrageous biography of Kalloch in which he was referred to as the "Sorrel Stallion," the article was also a declaration of war.

Kalloch was furious, but he had an idea. An aide had dredged up the old *Sun* article on the de Youngs and now the fiery minister called a meeting for the evening of August 22, 1879. He would read that discredited *Sun* article in retaliation against the *Chronicle,* apparently not knowing, or caring, that Napthaly had long ago retracted that offensive report. A huge crowd attended the meeting, Kalloch having to give one speech inside and another outside on top of a piano crate.

Author's Collection

Charles de Young shoots Kalloch as depicted in *Frank Leslie's Illustrated Newspaper.*

Only brief excerpts of Kalloch's speech were printed in the city newspapers, but he apparently didn't recite from the old *Sun* article. He did, however, refer to the de Youngs as "hybrid whelps of sin and shame," a characterization from the hated *Sun* article. Everyone knew the de Young brothers idolized their mother and one paragraph of Kalloch's speech was designed to jab the de Youngs where it really hurt:

> In maligning the reputation of my father, who has filled an honored grave for many years, these journalistic vipers have rendered the most vicious retaliation on my part necessary and justifiable. Their disgraceful records in this city make such retaliation possible, and I am justified in pronouncing them the bastard progeny of a prostitute.

Not content with this outrageous accusation, the crowd now called for Kalloch to read the old *Sun* article, but the minister only smiled and raised his hands. He wasn't going to expend all his ammunition at once. Besides, he intended reprinting the old article in the next issue of the Workingmen's Party newsletter. He would then comment on the article in his next speech. The news was quickly passed on to the *Chronicle* owners.

The next morning Charley de Young called a cab and picked up a messenger boy from the local telegraph company. Driving out to Kalloch's Mission Street home, the minister was absent and the newsman drove straight to the Temple. Here, Kalloch was seen at the curb preparing to get into his buggy. The unsuspecting messenger boy was then sent out to tell the minister that someone wanted to speak to him in the cab. At receiving the message, Kalloch looked up, then began walking towards the cab. It was a deadly ambush! Poking his pistoled fist from the cab window, de Young fired point blank at the approaching clergyman. The huge figure dropped to the ground, but immediately staggered to his feet as

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de Young stepped from the carriage and fired again. Hit in the left side and thigh, Kalloch was helped into his temple as all hell broke loose outside. The *Bulletin* reported:

> ...At this stage of the proceedings a large crowd had gathered about the coupe and several attempts were made to drag de Young from the carriage. He sat there, however, with his pistol extended and cocked and threatened to shoot any man who laid hands upon him. In a few minutes an officer came up and arrested de Young, getting into the carriage with him. There-upon the crowd, which was every moment growing larger and more excited, attacked the coupe, overturned it with its occupants, and seizing de Young, dragged him from the wreck and began to beat him with fists, boots, etc.

It was shortly after ten in the morning when Captain Lees received a telephone call advising him of the shooting. He immediately sent all available officers under Captain Short to the Metropolitan Temple, then rushed into police court and ordered all the officers and clerks there to follow. Back at the Temple, another policeman ran up and both officers rushed the publisher through a building to Market Street where another cab was comandeered for a fast trip to city hall. Lees himself was just heading for the door when he saw the cab carrying de Young and the two officers pulling up at the curb outside. De Young was rushed into a cell as mobs began filling the street outside. Huge crowds quickly gathered on various sandlots in the city, fiery speeches were given and it seemed a bloody riot was inevitable. Kalloch's son, Isaac M. Kalloch, also a minister, counseled against any mob action, but stated that if justice could not be had, "I will see that de Young is killed." Various speakers demanded the crowds break into the city jail and lynch de Young, while several citizen groups offered their services to Police Chief John Kirkpatrick. The chief and Captain Lees both knew that any real trouble would result if Kalloch died, so they awaited medical reports and advocated caution.

Author's Collection

Charles de Young, as he appeared about the time of his death in 1880.

Late that night, physicians announced that Kalloch was concious and not in any great pain. Although first reports stated the wounds were mortal, physicians later revised their diagnosis to say there was a good chance he would recover.

A strange story surfaced at this time, based partially on poor people's distrust of the police and on Captain Lees' known friendship with the de Youngs. It was rumored that the captain of detectives had been with Charley de Young when he had shot Kalloch. The *Bulletin* printed the rumor even though none of the eyewitness reports of the incident had mentioned Lees being present. Still the rumor persisted.

That night the head of the police commission investigated, but found no substance to the rumor. When Lees was advised of the heresay making the rounds, he promptly called for a meeting of the police commission. He detailed his movements on the day in question and sixteen officers testified to his being at his office at the time of the shooting. Despite the detective's insistence on an investigation, the board decided the rumors were groundless and any further inquiry would be a waste of time.

When it was announced that Kalloch was out of danger, Charles de Young was released on bail. At the time of the election Kalloch was still bedridden and managed to win by a margin of some 1,500 votes. Although the Workingmen's Party won many of the major city offices, they won only two supervisor seats, leaving Kalloch with little control in that sector.

The new mayor was continually under attack by the city press after stating in his inaugural address that "the people expect their officials to steal." Continually under fire and defending itself, Kalloch's weak administation found solid accomplishment impossible. There was constant talk of impeachment.The mayor was further disturbed to know that Charley de Young was doing business as usual and obtaining constant delays in his trial which had recently again been postponed until May 3, 1880.

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Young Isaac Kalloch meanwhile had become a clerk in his father's office, but soon left the city and was preaching to a small congregation at Healdsburg, some miles to the north. In early April he had returned to San Francisco and was drinking heavily. Of a naturally quiet demeanor, the young minister seemed to be brooding over the troubles and constant criticism of his father. He was also undoubtedly convinced that Charley de Young was never going to be punished for the attempted murder of his father.

In April there were rumors that a booklet was to be published detailing again the old *Chronicle* account of Kalloch's Boston troubles. It was more than the young minister could endure. On the evening of April 23, he walked rapidly down Bush Street towards the big, new *Chronicle* building.

It was a quarter to eight when Charley de Young walked into the *Chronicle* office. He began chatting with two friends just inside the door. Clerk Willie Dreypolcher was behind the counter engaged in a conversation, also. De Young, still talking with Gus Spear and Ed Read, moved toward the counter where their discussion was continued. When the door opened and closed rather noisily, clerk Dreypolcher glanced up and his blood ran cold:

> When I looked up and saw Kalloch he had a pistol in his hand and almost at the same instant he fired a shot. Mr. De Young looked up and saw him at the same time I did, and after the first shot was fired he ran back towards the gate [leading behind the counter]. He was about to the gate when the second shot was fired and he got down behind it at the third shot. He was right at the corner when the fourth shot was fired.

Scrambling desperately for cover, de Young clawed back his overcoat trying to draw his own pistol and dodged behind a desk near the gate. Young Kalloch had been following closely on his heels and now as de Young looked up from the floor to see where his assailant was, he stared into the barrel of Kalloch's pistol. Dreypolcher continued:

> Just then, as De Young was down and Kalloch was stooping over him, he fired again, and that is the shot that hit him in the mouth. The pistol was within two feet of his face.

Charley had finally got his pistol out, but it was too late. As Kalloch turned and ran towards the door, the publisher didn't have the strength to raise his weapon. Friends rushed to his side as he slumped to the floor. His powder-burned face looked up, but he couldn't talk. He had been shot in the upper lip and the blood now gushed from his nose and mouth. He was dead at seven minutes past eight o'clock.

By the time the coroner arrived at nine o'clock, huge crowds filled the streets, mostly noisy and jubilant Workingmen's Party members. The *Alta* reported on the ugly scene:

> ...a boisterous, ruffianly mob drew in from all quarters of the city, cheering and hooting in exultancy....When the coffin was brought out and placed in the deadwagon, the mob made louder the cheers and hoots, and at every step launched foul oaths at the man who had been murdered by the son of their reverend leader.

A guard of policemen with drawn clubs escorted the wagon to the morgue. Kalloch had been immediately captured and taken to police headquarters, but steadfastly refused to make any statement. His legal defense team went quickly to work, however.

Morbid, sightseeing crowds began filling the street before the de Young Eddy Street address on Sunday morning, April 25, 1880. Hordes of friends and associates were present at the one o'clock funeral as the outside crowds were held back by police. Great mounds of flowers covered the casket. The mother, Amelia de Young, was noticeably absent, but friends knew that she preferred to remember her son as he was in life. Although his mustache neatly hid the ugly bullet wound, the powder-burned face would have been more than she could bear to see.

It took twenty days to select a jury at young Kalloch's trial. The defense was, of course, self defense. Kalloch's tale was that he was upset at the publication of the new booklet on his father and went to the *Chronicle* office to complain. He was talking to de Young when suddenly Charley pulled his pistol and began shooting.

To bolster their case, Kalloch's attorneys produced a witness who corroborated this scenario, although all the other witnesses denied this had happened. Tests proved Charley's pistol had not been fired, but the defense stubbornly stuck to their witness, even though he was a convicted perjurer and had been brought into court from San Quentin in handcuffs.

Amazingly, after some twenty-eight days of argument and testimony, young Kalloch was acquitted. There were great celebrations in the streets, but Mayor Kalloch lost the nomination to run for re-election and both he and his son moved to the Northwest.

Michael de Young now took over the *Chronicle* and, chastened and saddened by his brother's cruel death, tempered the editorial policies of the paper. It was a hard lesson to learn, but spurred by his brother's memory he made the *Chronicle* into one of the great dailies in the country. Always active in public affairs, Michael died in 1925, leaving many memories of civic achievement and California's violent and colorful newspaper past.

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Tragic End for a Tough Pioneer

by Elvis E. Fleming

Courtesy Gil Hinshaw

The Causey men, (left to right) Mark, Bob, George W. (father), John, and Thomas "George" Causey.

"Causey killed more buffalo in one winter on the Yellow Houses than Buffalo Bill Cody killed in his entire lifetime, but Causey didn't have Ned Buntline for a publicity agent!"

Jeff Jefferson made this claim about George Causey. Historians generally recognize Causey as one of the most famous buffalo hunters who took part in that great slaughter in the late nineteenth century. However, Causey's other activities, which demonstrated that the Llano Estacado of Eastern New Mexico and West Texas was suitable for settlement and cattle production, were more significant from an historical viewpoint.

Born Thomas L. Causey in 1849 in Springfield, Illinois, "George" Causey was one of five children of George W. Causey. After the Civil War, freighters hired young George to drive mule-drawn freight wagons to army installations and trading-posts in western Kansas. The railroads pushed farther and farther west to each new cowtown, and Causey's job started to fade. He realized he needed a new line of work.

Former Army scout George "Jeff" Jefferson and Causey formed a partnership to hunt buffalo around Dodge City and Hays. They slowly moved south over the next few years as they followed the herds in search of bigger profits— first to the south side of the Arkansas River and later to the vicinity of Cimarron in Indian Territory. Causey and his brothers, John and Bob, formed a small hide-hunting outfit in the fall of 1874 at Brownwood, Kansas. They set up their main camp on Duck Creek (present Dickens County). Bob Parrack, a twenty-two-year-old cowboy, hired on as one of their skinners for twenty-five cents per hide.

Causey was "...one of the most noted men on the buffalo range and had perhaps the biggest outfit of the kind that ever operated in the United States." In his book, *Buffalo Guns and Barbed Wire,* published by Texas Tech University Press in 1991, Don Biggers quotes an unnamed

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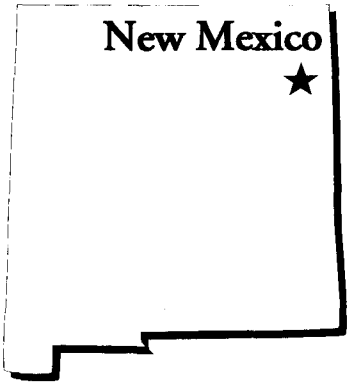
skinner who worked for Causey in the winter of 1876, the year of the biggest slaughter. Biggers first published the account in 1902 in which the skinner indicates that Causey had a partner named West. "I suppose Causey & West had the biggest hunting outfit in the country; and in addition to this they had a freighting outfit of more than 100 oxen, thirty wagons and fifteen drivers. This outfit did a general freighting business, hauling meat and hides for Causey & West, and others, from the hunting grounds to Fort Worth, Dallas and other points, and returning with supplies for the various camps and hunting outfits."

The skinner locates Causey's main camp in 1876, six miles east of present Lubbock, Texas, on Yellow House Canyon. Their hunting grounds comprised an area about forty miles square. Biggers' source states that Causey & West had ten men besides Causey: eight skinners, a meat tender, and a cook. He also provides a good idea of how Causey organized his crew and structured his work for efficient operation:

> Causey, on horseback, would leave the camp in the morning, generally before daylight, and would be followed by the skinners, there being two men with each wagon. As soon as Causey found a herd, the work began; and it was here that his marksmanship and skill were displayed.
>
> First, he would always work with the wind from the buffalo, for they used their sense of smell as a signal of danger. Leaving his horse he would maneuver for a good shot, always selecting the lead bulls as the first targets.... A whizzing bullet sent in front of the herd generally caused them to take the course the hunter desired, and in this way he would bring them to a 'stand,' that is cause them to so mill about that he could kill as many as he liked. It was the hunter's marksmanship and ability to get a 'stand' that determined his excellence, but the best of them often had to follow a herd many miles before getting a 'stand.'
>
> ...Causey was a very considerate man and after killing as many buffalo as he knew his men could skin that day he would return to his horse, which he had left when the herd was found, and then to camp. If he got a 'stand' early in the day he would be able to finish his work and return to camp by the middle of the evening, but if he had to follow the buffalo some distance before making a good killing he would not leave the field till dark. He always carried an extra round of 100 cartridges to be used if attacked by Indians....
>
> The skinners worked until the day's killing was finished or till darkness drove them from the field, often leaving camp before daylight and returning as late as midnight. They always worked with a buffalo gun in easy reach for it was no uncommon thing to see a bunch of Indians riding across the country; but knowing the deadly effect and presence of the guns and the skinners' watchfulness they always kept at a safe distance. The buffalo outfit had no holiday and worked regardless of the weather.
>
> A killing ground was always a scene of fearful waste. The skinned carcasses, stripped of a few pounds of choice meat to be cured, were left to rot or for the coyotes to gnaw.

At one time more than a hundred men, most of them farmers from Central Texas, were following Causey's skinning outfit, getting meat. They had come to the range with no practical idea of the character of work to be done, and had all manner of old hunting and camping outfits. After a few comical and ridiculous blunders as hunters, each effort terminating in a dismal failure, they were more than glad to compromise with the hunter in whose range they were trespassing, take the meat of the buffalo killed by him, and return home.

Amateur hunters encroached onto the range, the skinner told Biggers, and interfered with the professionals because the amateurs



knew little about hunting buffalo. The amateurs were mostly Central Texas farmers and Hispanics from New Mexico. "Causey had a standing arrangement with Juan Stephens, the noted half-breed government scout and guide, by which arrangement that individual got all the meat he wanted, and for which he used his influence in keeping the Mexicans out of the range." Stephens would frequently bring thirty or forty wagons from Las Vegas, New Mexico, load them with meat and send them back.

Causey, Frank Collinson, and Jim White hunted as partners around 1876-77. Causey joined the two after they saved him from vigilantes from Fort Griffin. The vigilantes found some horse thieves in Causey's camp and were about to string them all up, including Causey, had Collinson and White not vouched for him. In the spring of 1877, the partners sold 6,000 buffalo tongues and 45,000 pounds of dried, salted meat, as well as 11,000 hides.

Causey moved his outfit in 1877 to the head of Yellow House Canyon near present Littlefield, Texas. The Causey brothers built an adobe cabin at the spring in the Yellow House and operated from there for the next three or four years.

Causey almost lost the use of his right arm in 1877 because of a powerful kick from his .44 caliber Sharp's rifle. He got a Dodge City doctor to lance the infection to save his arm. Even so, Causey soon changed to the heavier .45 caliber Sharp's. The big, heavy buffalo guns were a significant element in the elimination of the herds in the 1870s and 1880s. Causey shot 40,000

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buffalo in thirteen years. His partner, Jefferson, claimed, "Causey killed more buffalo in one winter on the Yellow Houses than Buffalo Bill Cody killed in his entire lifetime."

Bull hides sold for anywhere from $2.00 to $4.00 each, depending on where they were sold; cowhides fetched less. The Causeys were less wasteful than were some other buffalo hunters, selling as much meat as they could afford to salt down. At times they picked up the bones as well and sold them to fertilizer makers.

There were as many as 1,500 hunters at work during the peak years of buffalo hunting on the Llano Estacado. Among them were Hispanic *ciboleros,* who ran their horses alongside stampeding buffalos and pierced them with lances. On one occasion, in the winter of 1877, Causey and Sam Carr were about to move in for the kill when three or four of the *ciboleros* charged into the herd. Causey shot several of their horses to stop them. The hostilities ended when the intruders agreed to help with the skinning and butchering in exchange for meat.

Causey served as the principal shooter for his outfit, which killed some 7,800 buffalo in the 1878-79 winter season. The hunters sent much of the meat to Las Vegas and sold it to railroad construction workers. They sold both the meat and hides at various Texas markets, mainly Midland, Colorado City, and Fort Griffin.

The Causeys killed four hundred of the 1878 take at Four Lakes (northwest of present Tatum, New Mexico), and sold the hides at Fort Griffin.

It took careful planning to cross the waterless plains. They took water halfway to the next waterhole, where they dug a hole, lined it with a hide, and placed the water in it. Then, they returned to camp to get their equipment and hides; on the way out they had a place to water their mules and horses.

In 1880, Causey sold the Yellow House camp for $60 to Jim Newmar, who developed it into the Yellow House Ranch. The big XIT Ranch soon acquired Newmar's place. Causey attempted for a short time to raise cattle on Sulphur (Springs) Draw in the vicinity of present Bronco, Texas. He rejoined the army of buffalo hunters before long, though, even while he had the ranch. In 1880, he first camped on "Causey Hill" in the sandhills of New Mexico. Later, he established a camp near present Muleshoe, Texas, on Blackwater Draw.

The hide men soon hunted themselves out of a job. Causey often supplemented his flagging buffalo harvest by adding pronghorn antelope, which were frequently abundant even in areas where buffalo were few. Causey went after the last herd of buffalo on the Llano Estacado in the fall of 1882 around Cedar Lake (near pres-ent-day Seminole, Texas). He took two months to slaughter about two hundred buffalo. He and his men skinned, gutted, and carried the carcasses on hay frames to the railroad at Midland. Because of the cold weather, they could ship the carcasses whole to St. Louis and Kansas City.

The annihilation of the buffalo herds and the advent of ranches on the Texas plains—a result of his own doing—forced Causey to once again look for a new livelihood. He decided to start a horse ranch by catching mustang ponies that ran wild on the plains. That required a place with water. Sometime in 1882, Causey and Jefferson set out along the Indian trails into New Mexico on a hunch that they would lead to water. They did, all right—at Ranger Lake (north of present Tatum), ten miles west at Four Lakes, and another fifteen miles farther west at Mescalero Spring at the western edge of the Staked Plains.

Causey chose Ranger Lake for his headquarters and proceeded to establish the first ranch on the Llano Estacado of New Mexico. There was no timber on the treeless plains, so he built his house and corrals out of the caliche rocks which were scattered around the prairie. He cemented the rocks together with adobe mud. Causey soon rounded up a hundred mustangs to implement his plans for a horse ranch. He also started a motley herd of beef cattle by collecting about fifty strays and mavericks.

The flowing spring at Ranger Lake stopped during dry seasons, so Causey dug a dirt tank to store the fresh spring water and keep it separated from the alkali water of the lake.

Still, that was not enough to make it through some dry times. Causey decided to see if he could find the source of the spring; when he dug down, he found good water only a few feet below the surface. He went to Midland and bought an Eclipse direct-stroke windmill with a sixteen-foot wooden wheel. He also secured lumber to build a tower for it. That windmill was the first one on the Llano Estacado of New Mexico.

Before long a few other ranchers moved into Causey's area, although they were a day's ride or more away. George W. Littlefield in 1881 bought the Bosque Grande in the Pecos Valley north of Roswell. J. Phelps White, Littlefield's nephew and partner, established the LFD Ranch in the area.

Relentless drought soon forced White to seek better pastures, an astute move in which the Littlefield Cattle Company acquired the giant Four Lakes Ranch on the Llano Estacado. White purchased Causey's improvements and water rights at Ranger Lake Ranch in 1884. The Four Lakes Ranch covered approximately 2,500 sections, more than 1.5 million acres.

Causey established his new "Headquarters Ranch" some five miles south of present Lovington, New Mexico. He took his time to hand-dig a well, temporarily hauling in water from Monument Spring. Causey repeated much of what he had done earlier at Ranger Lake: brought in materials from Midland, set up a windmill on the new well, built an earthen surface tank, and fenced it. Causey thus started an oasis on the plains, which he

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rounded out by planting willow and cottonwood saplings at the dirt tank.

The Headquarters house that Causey built was of caliche rock and adobe mud. A story-and-a-half, it is still standing. Causey built corrals, a bunkhouse, and a store/post office from the same materials.

Causey continued his mustang operation, as well as raising both cattle and horses. He failed to turn much profit with his ragtag herd of cattle, but he toughed it out for about fifteen years at the Headquarters Ranch.

J.P. White retained Causey in 1886 to put windmills ten miles apart in every direction all across the Four Lakes range. To accomplish this tall order, Causey brought in the first well-drilling outfit on the Llano Estacado of New Mexico. Causey used ox teams and wagons to haul in the casings, water pipes, windmills, and lumber for the towers and water troughs, and mules to power his drilling rig. A team of mules walking in circles turned a large flat gear and pinion which was keyed to a shaft leading to the drill bit. Causey drilled wells and built houses for his new neighbors if he had any extra time away from his own cattle and horse herds.

Nellie Whitlock, Causey's widowed sister, and her little boys, Ralph and V.H., came in 1887 to live at the ranch for a while. At times, brothers John and Bob were also with him at the ranch.

Probate records provide some clues to Causey's financial condition. Apparently, he had a partner in 1889, because on May 1 he borrowed $450 on behalf of "Causey & Arnold" from his brother, John, in Colorado City, Texas. He borrowed another $396 from John on February 3, 1893, this time in Odessa. Brother John slapped him with 12percent interest on both notes.

In his old age, V.H. Whitlock wrote *Cowboy Life on the Llano Estacado*, much of which he devoted to the life and work of his uncle, George Causey. V.H.'s older brother, Ralph, told many stories in a tape-recorded interview with Emmet McCombs at Kenna, New Mexico, in 1975. The nephews provide first-hand knowledge of their uncle.

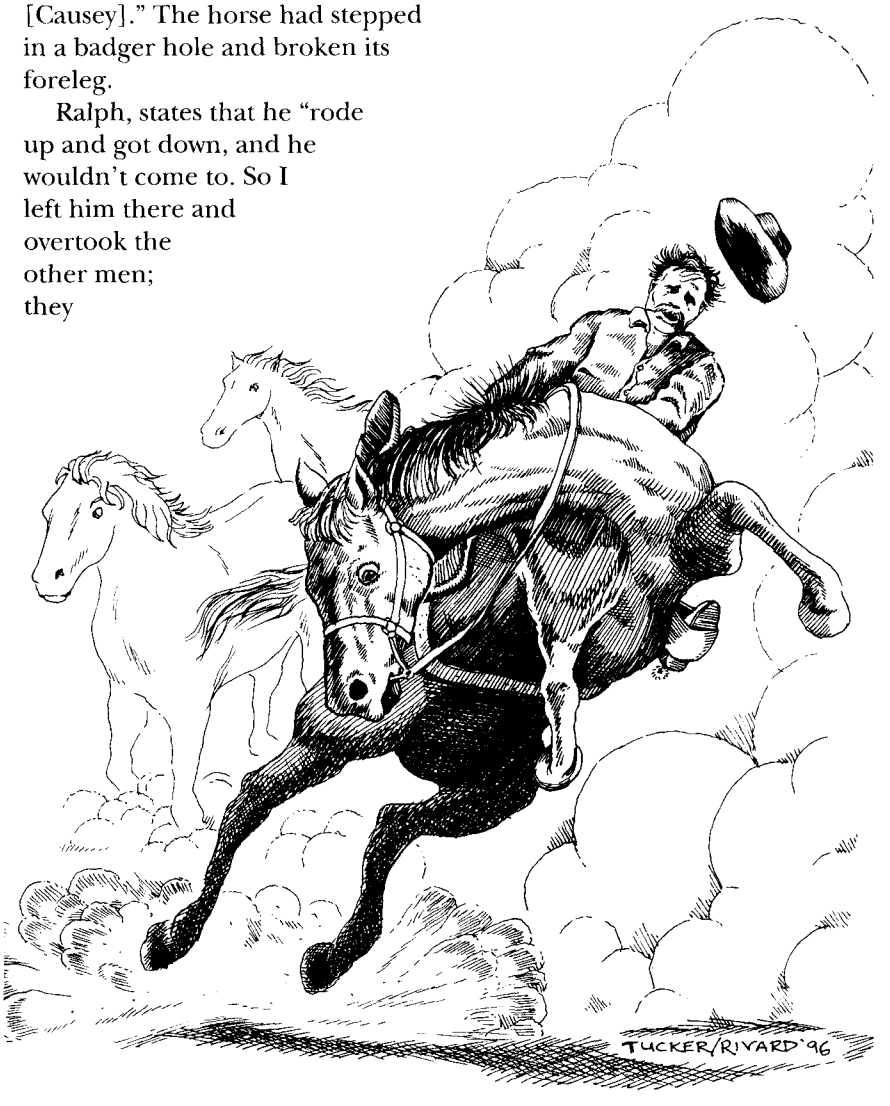
Causey rounded up his last mustangs on the Llano Estacado about 1900. Ralph asserts that he was with him, and "...we'd worked the plains and gathered all the horses that he wanted, and we started back to Long Arroyo...with these horses." The herd consisted of extremely wild mares; a stallion started a stampede when he tried to reclaim his mares.

Causey spurred his mount to try to head off the stampeding mares. Ralph says, "this horse he was riding, he wasn't fit for him to ride, anyway. He had a run of fright in his head. Well, something happened, and he went to pawing at his face and running, and he [the horse] fell and rolled clear over him [Causey]." The horse had stepped in a badger hole and broken its foreleg.

Ralph, states that he "rode up and got down, and he wouldn't come to. So I left him there and overtook the other men; they brought a wagon back and got him." V.H. writes that when the men saw the riderless horse struggle to its feet and limp away, they hastened to the scene and found the aging mustanger out cold. Some of the riders destroyed the injured horse.

Causey's men put a mattress in the buckboard wagon and laid him on it. While one of the men cradled Causey's head in his lap, they drove to the Four Lakes headquarters, where they changed teams. They then struck out for Roswell, some seventy-five miles to the northwest. After a thirty-mile drive to Mescalero Spring, they changed horses again.

One of the men rode directly to Roswell and brought a doctor back to meet the wagon on the road. "It was a week or ten days before he ever come to," Ralph states. "He



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never was all right; it hurt his neck bones so that when he was upright, why, something cut off the circulation to his head." The Roswell doctor affirmed that Causey had suffered a severe injury to his spinal column; he ordered that Causey be hospitalized.

Causey traveled to a sanitarium in Kirksville, Missouri, where for several months he took therapy that didn't seem to help very much. He did improve some after treatments at other clinics in the North and East.

Arriving back in New Mexico, Causey was in somewhat of a financial bind. He sold the Headquarters Ranch to the Hat Ranch. He also had to sell off most of his livestock to pay medical and travel costs.

Court records disclose that on April 3, 1902, Causey borrowed $660 at 10 percent interest from Rachael Williams of Carlsbad, with his brother, John, as co-signer. Still in need of money, George floated a loan for $157 at 7percent interest on September 15, 1902, from his father, George W. Causey of Guthrie, Oklahoma.

All of this did not mean that Causey was destitute. He jointly owned with John a herd of about two hundred horses that "...were wild and unbroken, ranging over the open range in Chaves Co., NM," according to a court record. Beside the horse herd, there was his well-drilling rig, the four mules that he used to power it, two old wagons, seven stock horses, and seven head of cattle.

The vigor and vitality that characterized Causey's life and work before his injury never came back. Ralph opined that his uncle "...was always worrying and he never took care of himself too much. He stood that for a couple of years...."

A positive turn of events that came out of the pioneer rancher's hospital stay was that he met and fell in love with Johanna Jewson, a German-born nurse. Roswell Justice of the Peace M.A. Murray united the two in marriage on April 8, 1903, with Bill Benson, another prominent old hide hunter, and B.H. Baker as witnesses.

The happy couple established a small ranch just south of Kenna, some sixty miles northeast of Roswell. Causey's nephews, Ralph and V.H. Whitlock, and their brother-in-law worked for him there. Ralph states that they all lived in a fourtee- foot by sixteen-foot tent. "It was all Dutch-oven cooking, though, and pot rack. That's the way we cooked all the time. Never had a stove."

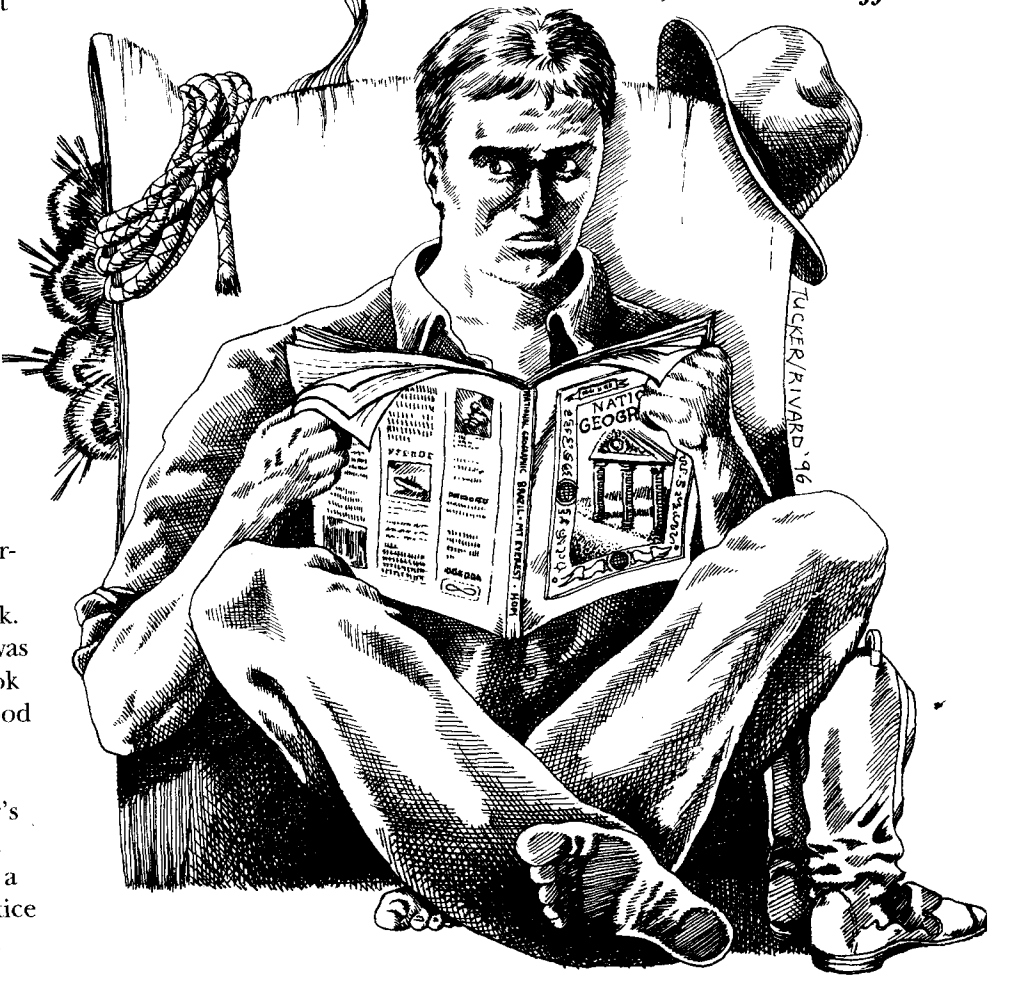
Causey's health continued to deteriorate, and just a few short weeks after he started the Kenna ranch, the legendary pioneer committed suicide on May 18, 1903. Ralph describes how he was in the tent with his Uncle George when Causey used a Colt .45 to put an end to his suffering. No eyewitness account of Causey's death has been published previously.

Ralph relates how the tent was arranged:

"I slept in a bedroll right here. Tent had a frame, you know, for it to stretch over. Now, like the door was here, the chuck box was right there close to that corner. It was against the wall so the lid could come down and make a table. Well, the stove [sic] was in that corner; and this chuck box was here, and my uncle's bed was like this. The head of the bed was here, foot of the bed was there.

"We'd branded a big bunch of

I was sitting there looking at this magazine, and he shot himself with a .45 Colt. The gun was under the cover, and that muffled it.



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cattle the day before, and he'd worked just like the rest of us. Well, that morning when I got up, I saddled up and went and got the saddle horses and come in, eat breakfast. I was sitting right here; the chuck box lid was right here, and I was at the foot of the bed.

"There was nobody in the tent but his wife and myself. And he was still in bed. He didn't get up that morning. There had been some mail come the day before. After I got done eating breakfast, I just picked up one of these magazines and was sitting there with my back against the bedstead. I was sitting there looking at this magazine, and he shot himself with a .45 Colt. The gun was under the cover, and that muffled it.

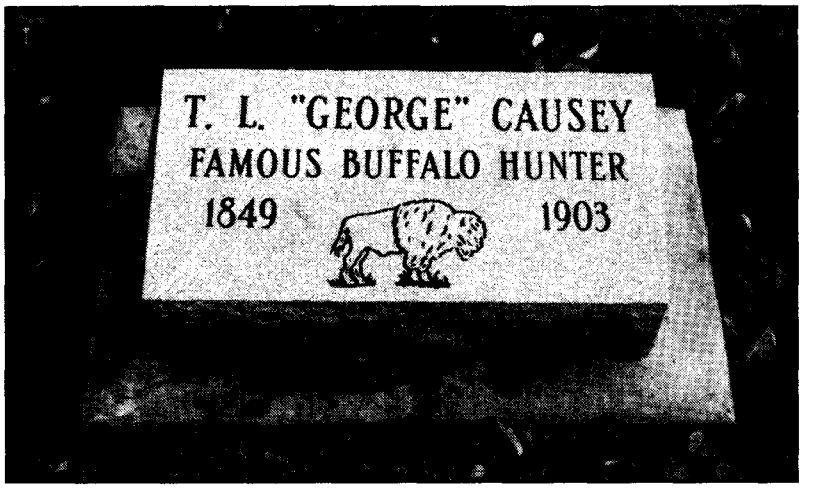
"When I heard that muffled sound, I jumped like it was a gunshot. I raised my head. She [Johanna] was over here by the door....When I looked at her, why, she was looking over here; and I knew something was wrong. So I looked around, and the smoke from that .45 was boiling out from under the cover.

"Well, I just ran around to the head of the bed and picked him up, like that, and when I picked him up, the gun fell out of the cover. Everything was bloody. The bullet went clear through him into the mattress."

Ralph had left the horse that he used for wrangling the remuda tied up right by the tent, still saddled. The young puncher leaped on it and raced for the telegraph office at the Kenna depot. He sent a telegram to John Causey, who presumably was in Roswell, to bring a doctor. He says, "And I waited there until his train come in. There was just one train up and back each day, only when there was livestock or something to haul in."

"John Causey come up on the train with the doctor. About the time they got there, why, [Johanna's] brother come up there and said, 'There's no use for a doctor.'" The renowned plainsman was dead at the age of fifty-four. They buried George Causey in the city cemetery in Roswell in an unmarked grave.

Causey had made no will; the court appointed Johanna as executrix of the estate. The horse herd that he jointly claimed with his brother was Causey's principal asset, together with his mules, a few other head of livestock, and his well-drilling rig.



Author's photo

George Causey's gravestone, erected in Roswell, New Mexico, September 1996.

The widow Causey discovered that in addition to four loans, some of which dated back to 1889 and none of which had been repaid, Causey also owed money to several creditors in Roswell. She paid off all of them, a total of about $180, and the debt to Causey's father. She signed over George's interest in the horse herd to John V. Causey to clear up the debts owed to him.

Causey's most significant work concerned water and ranching on the Llano Estacado of southeast New Mexico, despite his prominence in western history as a buffalo hunter. Gil Hinshaw, in his book *Lea: New Mexico's Last Frontier* assesses Causey's contributions and maintains that the encroachment of "civilization" always took away his means of support, but the very character of his labors advanced civilization. "This is the paradox in the life of George Causey....He was the rare drifter who built houses and put down roots as if he intended to remain in one spot forever. Seeking the wilderness and its solitude, he was surrounded by devoted companions and relatives. This man who loved freedom was the first to prove that a domestic way of life was possible, even profitable, on the uninhabited Llano. This latter discovery is his most significant contribution to the development of [present] Lea County."

Hinshaw maintains that Causey achieved several "firsts" for southeast New Mexico, especially for what is now Lea County: the first ranch, the first well-drilling rig, and the first windmill. What is more important, he demonstrated that settlement of the high plains was practical. Uncounted home-seekers flocked to the high plains because of the work of George Causey. Some of the houses he built are still in use, and some of the wells he dug continue to provide water for thirsty people and livestock.

Until recently, there were no other visible monuments to this pioneer. Historians and old-timers for years deplored the fact that no suitable monument existed to commemorate the life of Thomas L. "George" Causey, not even a marker on his grave site. Through the efforts of Peg Stokes, historic preservation chair of the Historical Society for Southeast New Mexico, an anonymous donor furnished an appropriate stone and erected it on the grave in September 1996. After ninety- three years, George Causey no longer laid in an unmarked grave.

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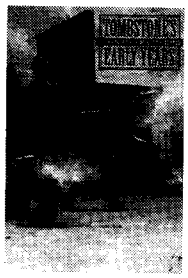

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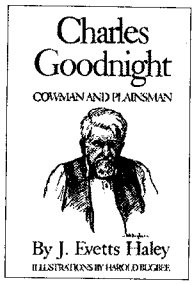

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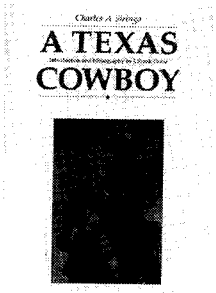

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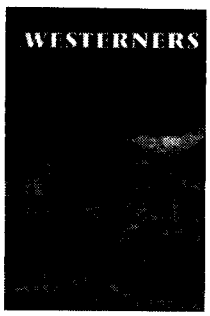

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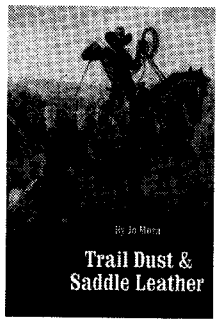

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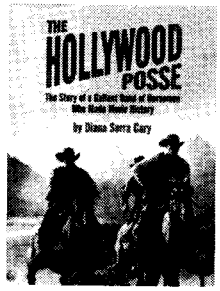

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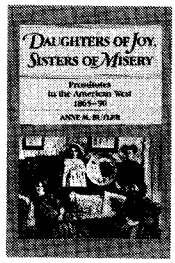

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Remember the Alamo

Alamo Legacy, Alamo Descendants Remember the Alamo, by Ron Jackson. (Eakin Press, P.O. Drawer 90159, Austin, TX 78709–0159. 215 pages, 15 drawings and photos. $16.95 paper.)

For most of us the Alamo brings to mind the slogan, "Remember the Alamo!," or perhaps the John Wayne movie about the 1836 battle at the Alamo mission in San Antonio during the Texas Revolution. For the descendants of the men who died there, however, the event lives on vividly in family memories.

Ron Jackson, an Oklahoma reporter and member of the Alamo Battlefield Association, has gathered together those memories, based on cherished stories and yellowed letters passed down over the generations. Jackson conducted hundreds of interviews in the United States and Mexico, not to mention considerable research in libraries and archives, as evidenced by the solid array of footnotes. *Alamo Legacy,* however, could have used an introductory chapter on early Texas history for the general reader unfamiliar with the struggle for independence and Alamo battle itself. For example, Colonel James Fannin's refusal to send reinforcements from Goliad is referred to several times in the text, but no explanation is given for his inaction.

The men who died defending the Alamo, the survivors, and the soldiers who served with General Santa Anna all figure in the memories. The letters hold up better than the stories, because the are the real thing, told in an authentic voice. If a letter exaggerates or fudges, at least it's an authentic invention of the era. The oral stories, on the other hand, tend to improve with each retelling, which usually has the opposite effect.

Daniel W. Cloud's letter to his brother, written a few months before the battle, recounts his travails moving south and west from Illinois to Texas looking for soil to till and law to practice. He explains his decision to make his stand in Texas:

> Our Brethren of Texas were invited by the Mexican government, while Republican in it's form to come and settle, they did so, they have endured all the privations and sufferings incident to the settlement of a frontier country, and have surrounded themselves with all the comforts and conveniences of life. Now the Mexicans, with unblushing effrontery call on them to submit to a Monarchial Tyrannical, central despotism...The cause of Philanthropy, of Humanity, of Liberty and human happiness throughout the wold, called on every man who can to aid Texas.

Like the Civil War twenty-five years later, the Texas revolution split families down the middle. The Esparaza brothers, for example, fought on both sides. Jose Gregorio died with his Texan comrades inside the Alamo, while Francisco served with Santa Anna. After the fight was over, Francisco buried his brother.—*Dan Buck, Washington, DC*

Wyatt Earp

Wyatt Earp, The Life Behind the Legend, by Casey Tefertiller. (John Wiley & Sons, 605 Third Avenue, New York, NY 10158-0012. 403pp. Notes and sources, bibliography, index, map, photos. $30.00 cloth.)

The furor over the Earps, especially Wyatt Earp, has continued unabated from the days in Wichita and Tombstone and San Francisco and wherever else the man set foot. Saint or sinner? Beginning with Walter Noble Burns' *Tombstone* in 1927 and Stuart Lake's *Wyatt Earp, Frontier Marshal* in 1931, followed by a spate of fictionalized western movies, a television series, and numerous books of varying reliability, the legend has continued to outshine the life. Researchers have debated the man to nauseating lengths, and in recent years the discussion has degenerated into bizarre musings about who knows the most, a discussion seriously affecting the literary credibility of the debaters. Paula Mitchell Marks, who thankfully remained aloof from this silliness, produced *And Die in the West* in 1989, a pretty fair summary of what was then known about the Earps and Tombstone. But what has been lacking is a straight forward, diligently-researched effort that would prove credibly definitive as to many of the events in the life of this controversial character.

Casey Tefertiller has made a major step toward that end with *Wyatt Earp,* at least with respect to the events surrounding the infamous O.K. Corral gunfight in Tombstone and its aftermath. The Tombstone years, late 1879 to early 1882, take up 234 of the book's 344 pages of text, and the rest of Earp's life is not treated with the same diligence. In fact, the glossing over of his early life, especially his Kansas lawman years, relying primarily on secondary sources, keeps this book from being the definitive biography it should be. The other Earps get short shrift in this book, but, of course, their names are not in the book's title.

However, the coverage of the events of Tombstone, varying interpretations of which have led to the controversial Earp of legendary proportions, is done well. Carefully doc-

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umenting this information, most of which is drawn straight from primary sources, Tefertiller painstakingly tells the story point by point. The Earps did not come to Tombstone to blaze law enforcement trails; they came to make money. Conflicts occurred and factions grew, fueled by opposing newspapers which each picked a side. The gunfight near the O.K. Corral was a logical result of the boiling tension, and the Earps and Doc Holliday appeared to be on the legal side, regardless of who drew or fired first. However, it was after the wounding of Virgil Earp and the murder of Morgan Earp, when the authorities in the "cowboy' camp proved ineffectual, that Wyatt apparently felt forced to step across the line and vengefully take the law into his own hands. Tefertiller does a good job of taking the reader through this step-by-step and keeping all of these events in proper order and context, especially in the political arena. Where there is controversy he discussed it based on available information, but usually giving the benefit of any doubt to Earp or his motives.

The author provides an assessment of the reliability and value of a number of manuscripts that have surfaced here and there about the Earps, as well as other sources of information. He also gives some insight as to how Earp's legend grew even John Wayne crediting Earp for the manner in which the western star adopted a screen personna. Also told is the poverty of an elderly Earp who truly desired a champion to tell his story accurately.

Wyatt Earp emerges as a rather single-focused, humorless man, but a human one and certainly a man of substantial courage. And the documentation appears to support that. This is a well-written book (although the type was a little small), readable, and there are some newly-published photographs of Earp, Doc Holliday, and others. However, the value of this book, frankly, is that researchers must now step beyond the endless debate of the merits of Lake's book, or anyone else's research for that matter, and put their money where their mouth is. Tefertiller has done that (although some of his citations, such as to the National Archives, are woefully inadequate). Future discussion about the Earps must either dispute or corroborate Tefertiller's findings. Until that time, Earp appears to have his champion.—*Rick Miller, Harker-Heights, Texas.*

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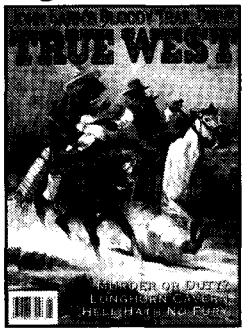

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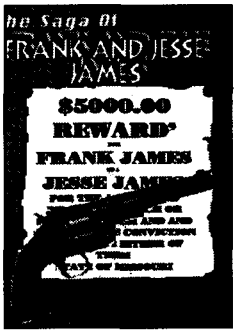

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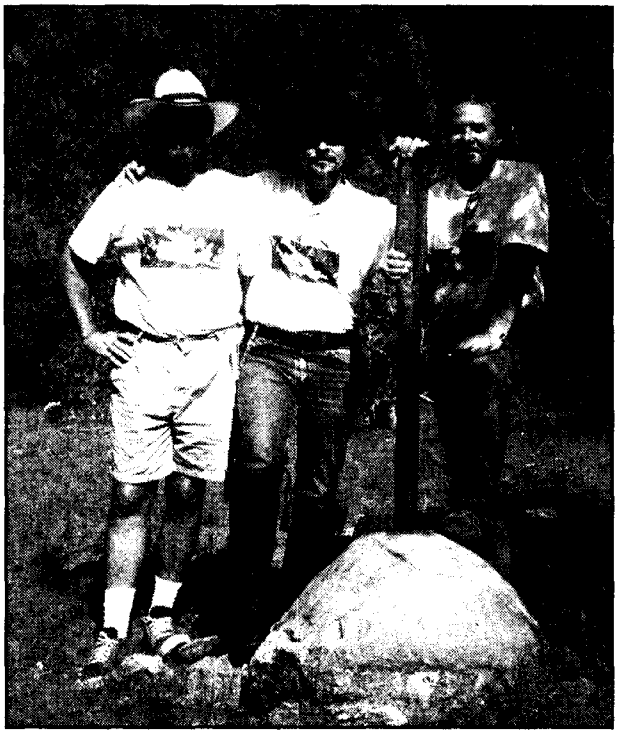
STOLEN AND RETURNED/LOST AND FOUND

After attending a "western buffs" symposium in southwest Texas and southeast New Mexico, I think it's appropriate to share some good news.

Visiting sites of historic interest in El Paso, Texas, and Lincoln, New Mexico, led to some very pleasant discoveries. At El Paso's Concordia Cemetery the remains of John Wesley Hardin are still safe and sound. A group in Nixon, Texas, still intends to remove the remains and relocate them in Gonzales County. Their stated claim is that they wish to reunite him with his wife, Jane Bowen Hardin. The case is now in an appeals court and no one really knows what the outcome will be. Also of note, someone recently erected a cross close to Hardin's grave marking the presumed burial site of Martin Mroz, a cattle thief who fell before the guns of Hardin and others, shortly before Hardin's own death.

More good news, this time coming from New Mexico. Lincoln County War buffs know that on April Fool's Day, 1878, Billy the Kid and others ambushed and killed Sheriff William Brady and deputy George Hindman. The Kid was later sentenced to hang for this killing. Brady and Hindman were both buried close to Lincoln, their graves marked. The headstone of Deputy Hindman had been stolen some years ago, but recently returned! It is generally known in Lincoln who was responsible for the theft, but because the stone is back where it belongs, the matter has been dropped because no harm was actually done. The Hindman marker lies in a large concrete holder so that it will be extremely difficult for the stone to be stolen again. The Brady stone, which had fallen over, now stands erect. Volunteers from the Lincoln County Historical Society performed the labors.



Author's photo

Artists Bob Boze Bell, Richard Ignarski, and western history collector Robert McCubbin during a group visit to the murder site of John H. Tunstall. Tunstall's killing sparked New Mexico's Lincoln County War.

Not A Nice Nickname

Janet Harris, of Guthrie, Oklahoma, had been reading Bernard DeVoto's classic *The Year of Decison: 1846* and came across references to the "Missouri Pukes" and to "the Pukes or the Suckers." DeVoto failed to give an explanation for these nicknames. Ms. Harris would like insight into the origin of these terms.

The people of Missouri were called *Pukes* because of the common, and mistaken, belief that all Missouri natives were from Pike County. The word *Pukes* was a corruption of the word *Pikes.*

As for *Suckers,* a nickname for people of Illinois, the most plausible explanation comes from the fact that in the Galena lead mine region the local men went up to the mines in the spring and then returned in the fall, much like the *suckers* which went up the rivers in spring and then returned in autumn.

Wyatt Earp's Death Certificate

Russ Dill wrote to us via E-mail, expressing an avid interest in the Old West, particularly in the lives of Wyatt Earp and John Henry "Doc" Holliday. Mr. Dill is trying to obtain a copy of Earp's death certificate but has been unsuccessful.

A copy of Earp's official certificate of death appears reproduced in full in the book, *On the Trail of Wyatt Earp,* by Norman Lee Hoggatt. The certificate reveals that the deceased was male, Caucasian, married, died on January 12, 1929, age eighty years, nine months, and twenty-four days. His widow is listed as one Josephine Sarah Earp. It gives his occupation as mining, his father as Nicholas Earp, mother's name not given, and birthplace of parents also not given. His address at time of death was 4004 W. 17th Street, Los Angeles, California. It also shows his body was cremated by Pierce Bros. & Co. and the remains were buried on January 16.

A certified copy of the certificate should be available from Beatriz Valdez, Registrar-Recorder/County Clerk, County of Los Angeles.

"Mysterious Dave"

While attending a symposium on

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western history in the El Paso, Texas-Lincoln, New Mexico, area I got into a discussion with the Albuquerque-based western artist Richard Ignarski. Among the many western personalities of mutual interest was "Mysterious Dave" Mather, the gambler-lawman of Kansas and New Mexico. Mr. Ignarski pointed out that in Andy Adams' classic cowboy book *The Log of a Cowboy—A Narrative of the Old Trail Driving Days,* first published in 1903, was a mention of "Mysterious Dave." We both wondered if this was the earliest mention of Mather using that nickname?

Andy Adams wrote of lawmen in Dodge City, Kansas: "Among the names that graced the official roster [of peace officers], during the brief span of the trail days, were the brothers Ed, Jim, and 'Bat' Masterson...and 'Mysterious' Dave Mather."

I had no definite answer at the time but after checking my sources the earliest mention of the man using that nickname is probably early 1880. A brief mention of it was made in the February 24, 1880, Las Vegas, New Mexico, *Daily Optic*:

> 'Mysterious Dave,' Charles Kirkland and several other Las Vegas boys are in Santa Fe to give testi-

Courtesy Colin Rickards

A questionable photograph of "Mysterious" Dave Mather, standing, and James Kerr. The photograph was taken in Lone Pine, Nebraska, in the late 1880s, and was sent to *Frontier Times* magazine by a reader in 1963.

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mony in the late stage robbery case.

It is possible there is an earlier mention of him with the "Mysterious" nickname in print. Maybe a reader can provide us with an earlier published example.

And we would all like to know a definite answer to the question, what eventually happened to Mather? The last known activity of Mather was in January 1886, when Dave and brother Josiah Wright Mather were to appear in court on a murder charge. Dave did not show, choosing instead to "jump bond."

Jack DeMattos, author of *Mysterious Gunfighter: The Story of Dave Mather,* discovered a court document which contained a phrase indicating that "the said David Mather is now Dead." The difficulty with accepting this at face value is that the same document states that the defendants "have heard and believe" that Mather was dead. In other words, it is nothing more than hear-say evidence. DeMattos raises the question of whether Mather was really dead or if his bondsmen were trying to get the court to believe that he had been killed to avoid posting bond.

In 1963 a William Ray Kerr sent a letter and photograph to *Frontier Times* magazine. Kerr wrote that after Mather left Dodge City he ended up in Long Pine, Nebraska, where he became friends with James Kerr, William's father. The photo shows James Kerr holding a guitar with a man identified as Mather standing. Kerr merely indicated that one day Mather left a note and some money but with no indication as to where he was going. DeMattos discredits the photograph, as well as any relationship between Mather and Kerr.

If you have a question, send it to Chuck Parsons, Western Publications, P.O. Box 2107, Stillwater, OK 74076. Please keep questions brief. Sign your full name and address, including zip code. Names will be published if question is used. Space limitations may not permit us to use all questions. Due to the volume of mail, we cannot forward correspondence to people whose questions appear in "Answer Man."

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THE DOCTOR AND HIS WAR ON BUGS

BY SHARON CARTER

One of the biggest areas of health care emphasis now is preventive medicine, with an focus on cleanliness, diet, exercise, and other ways of taking responsibility for one's own and one's community's health and well-being.

Among the people most at the forefront of this movement, in the late 1800s, was not, as might be expected, a professor of an Ivy League medical school, but a doctor once described as a "fightinq bantam rooster," from, of all places, Dodge City, Kansas.

Samuel J. Crumbine was born in Pennsylvania in 1862, and lost his father to the Civil War. Because of this he was, at age eight, admitted to the Soldiers' Orphan School in Mercer, Pennsylvania.

As described in his autobiography, *Frontier Doctor*, Crumbine and another schoolboy were standing in front of the Old Corner Drug Store in Mercer, basking in the scents of spices, drugs, and perfumes that poured out of the pharmacy when the other boy said, "Gee, Crummie, when I'm grown up, I'm going to be a doctor."

"I am, too," Crumbine said, "and I'm going to have a drugstore, with big blue, red, and yellow bottles in the windows, just like this one."

Crumbine graduated from high school at sixteen and began clerking in a drugstore. Before long he was filling prescriptions. The pharmacist, who was also a doctor, later began letting the boy make house-calls with him.

Young Samuel moved to Ohio to study at the Cincinnati College of Medicine and Surgery and then at Miami Medical College. He supported himself with a job that forced him into battle with his conscience, and would influence his actions greatly in years to come, promoting Piso's Consumption Cure, a worthless quack "remedy" for tuberculosis.

After graduating at the head of his class, he moved west and ended up in Kansas, where he acted as physician, pharmacist, dentist, and veterinarian, not an unusual combination on the frontier.

Marrying Katherine Zuercher, a young missionary he met in medical school, Crumbine settled in Dodge City and began his career. He was once described as, "barely topping five feet six inches, and you'd have had to have your thumb on the scale to get it up to 125 lbs." When angry, every hair on his beard stood straight out, as if charged with electricity.

Dr. Crumbine patched up bullet holes, set broken bones (once being held at gunpoint by a rancher's foreman, until it was determined the rancher's fractured leg was going to get better), and treated cowboys, frontiersmen, businessmen, new mothers, babies, prostitutes, missionaries, and those on their way farther west.

In the process Crumbine began to see, and to actively promote, the advantages of the prevention of disease and prevention of the spread of it.

Spurred by the memories of Piso's Consumption Cure, the doctor became outspoken against quack cures and the "medicine men" who roamed the country selling them. Many of these "cures" contained high levels of alcohol or narcotics. Crumbine sometimes found himself having to treat infants for alcoholism due to a potion given by the

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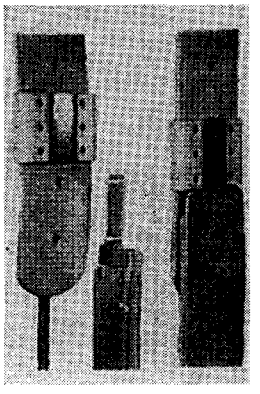
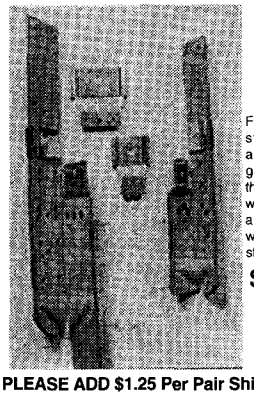
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mother "to keep him from crying."

Passionate about trying to help people help themselves, Crumbine proclaimed, "in a community sense, my health depends on your health." But the fiery little doctor ran into a gamut of superstition, old wives' tales, and other ingrained resistance to his "new-fangled notions" about health.

He told patients to "sleep with your window open," for the healthful fresh air, and urged fitness before most people had ever heard the word. He encouraged patients to live more active lives, get more exercise, and declared, "The best spring tonic ever invented is the hoe, the rake, and the spade."

Attacking the act of dipping milk from a pail as unsanitary and a health hazard, he convinced some cafe owners to serve it in sealed bottles—much to the chagrin of area cowboys, who considered the idea "sissy."

In 1900, Kansas Governor W.T. Stanley appointed Dr. Crumbine to the Kansas State Board of Health. Two years later Crumbine became executive secretary of that board. He left Dodge City reluctantly, loving the ever-changing prairie and its wildlife, where, he wrote, "a man's a man and a woman is his equal."

A smallpox epidemic in Pratt, Kansas, showed Dr. Crumbine's innovative skill. Instead of confining patients to the usual "pest house," he quarantined them in their own homes and vaccinated all who had been exposed, leaving schools and businesses free to function as usual.

In his new post, although hampered by a lack of funds and public apathy toward health issues, Crumbine took characteristic action. When inferior drugs were put on the market, he informed manufacturers that if they were not withdrawn, he would tell the public what was in them. The tactic was usually sufficient in their removal.

One of his most famous campaigns was against spitting on sidewalks, a common way of spreading tuberculosis. Signs everywhere cautioned or warned against it, and people walking on certain Kansas streets could find bricks with "Don't Spit on Sidewalk" imprinted on them.

By March of 1909 it became illegal in Kansas to spit anywhere but into a cuspidor.

The common roller towel was another of his targets. When a smallpox outbreak was traced to germs on a towel in a small town hotel, the Kansas State Board of Health, Dr. Crumbine at the helm, issued an order forbidding common towels on Kansas trains, in hotels, restaurants, and public schools.

Public drinking cups were also banned in Kansas in the same year, following a two-year fight on the good doctor's part. An invention fostered by Dr. Crumbine's health campaign was the paper drinking cup. Dr. Crumbine enthusiastically approved of the first crude model of the cup he saw. It was later refined and the Dixie Paper Cup Company was born.

The year 1907 also saw the first Food and Drug Law passed. The first official standard in the world for shipping oysters was adopted by landlocked Kansas.

Dr. Crumbine pushed the first water and sewage legislation. He and a professor from the University of Kansas rowed down the Kansas River, taking water samples as they went, to test the widely held belief that river water purified itself every seven miles.

They came back with severe sunburns and proof that this belief was, unfortunately, untrue.

Dr. Crumbine was best known, however, for his relentless campaign against "filthy flies," as carriers and spreaders of disease, and his encouragement to all to swat every one they could. Posters and cartoons backed his program and newspapers urged the use of window screens and printed recipes for sticky and poison flypaper.

Like the paper cup, this also led to an invention that would become part of everyday American life—the fly swatter, which was first seen as pieces of window screen attached to yardstick handles.

Crumbine printed a "Fly

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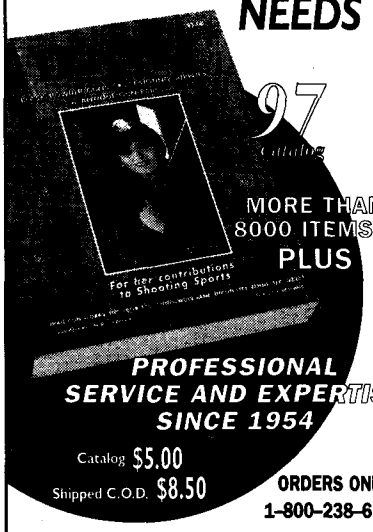

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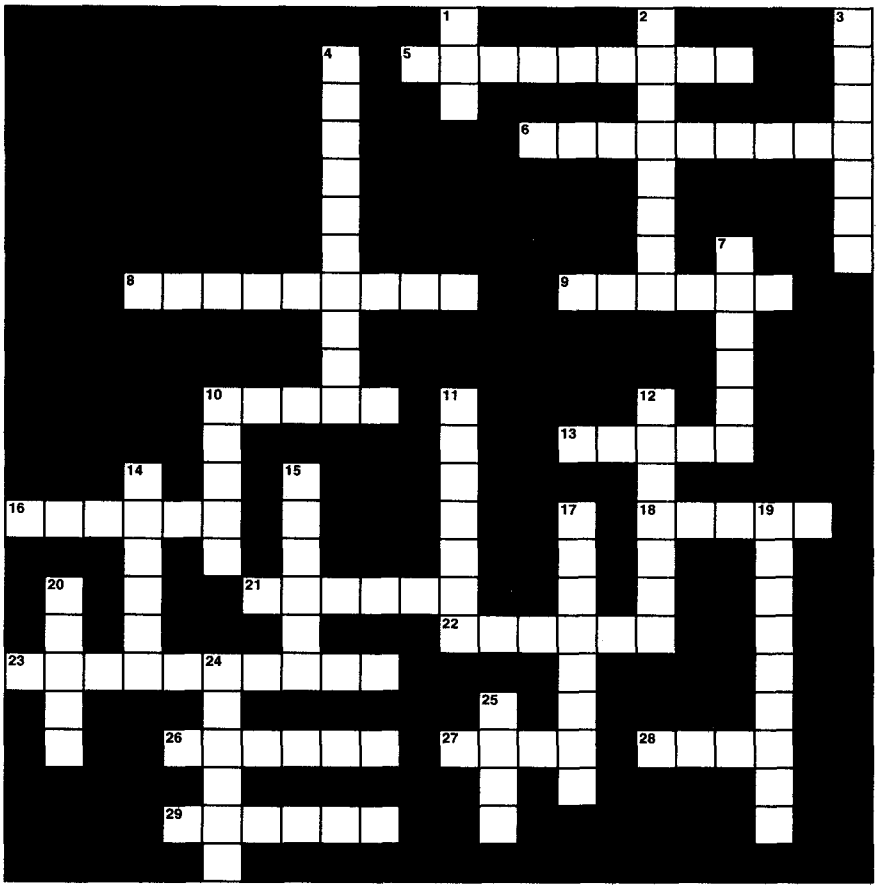
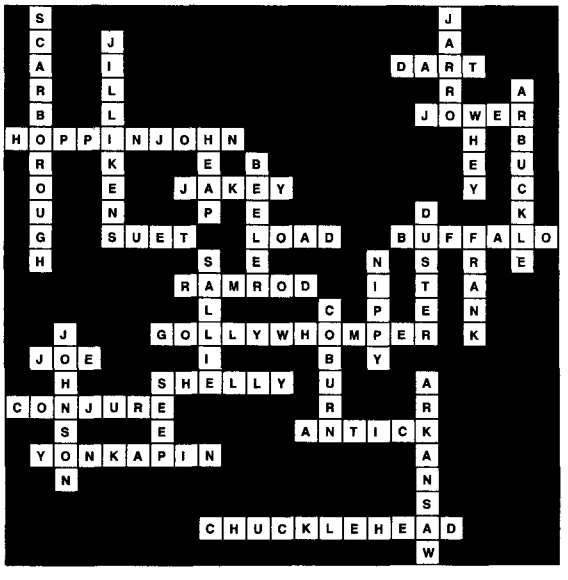


Across

5. The destination of *Stagecoach*
6. Morning Star
8. The Crow
9. Alamo messenger
10. Black Bart
13. A.P. "Print"
16. "Black Faced Charlie"
18. Sweet staple
21. Sioux "clown"
22. "Little Arkansas"
23. Author of *Tularosa*
26. First white to discover the Tetons
27. The "Human Wildcat"
28. Author of *Geronimo!*
29. Artist for *Leslie's Illustrated Newspaper*

Down

1. William Travis' servant
2. Author of *Shattering the Myth*
3. Author of *The Return of the Outlaw Billy the Kid*
4. Taschunca-uitco
7. Wyatt's second wife
10. "Justins"
11. Cynthia Parker's son
12. Christopher _____ Carson
14. Cattle Kate
15. Camp Verde pack animals
17. Stand Waite's brother Elias
19. "McNelly's Bulldog
20. Killed Longhaired Jim Courtright
24. *The Virginian*
25. Howard Richard Gibson



Solution in next month's True West.

Solution to last month's puzzle.

Bulletin," with catchy slogans, medical facts, and doggerel, about the eradication of the small winged pests, and offered rewards of two silver dollars—decent money for those times—to the boy or girl who could bring in the most dead flies.

A cartoon he published showed a trail of flies from a stable and outhouse, to a "home for the diseased," to a garbage barrel, past a decaying animal carcass, in and out of a spittoon, and onto the breakfast dish of a young girl wearing a big hair bow.

Another showed a mustachioed Dr. Crumbine, as a singer in front of theater footlights, about to burst into a song titled "Swat The Fly."

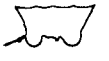
Disease was disease to him, and Dr. Crumbine attacked "social diseases" as fervently as any others. He sought, and— to his surprise— gained, the cooperation of Kansas City's infamous city boss Tom Pendergast, who ordered prostitutes be rounded up and taken to the city hospital for treatment.

While some school administrators were supportive of sex education for their students, other people blamed the board of health for "loose sexual relationships prevailing in some of our high schools." The passing of health regulations at the state capitol was seen as government "meddling in local affairs," and in 1923, Governor Jonathan Davis asked for Dr. Crumbine's resignation.

The doctor left his beloved Kansas to accept an appointment as medical consultant for the American Child Health Association in New York. Two years later he became general manager.

During retirement, one of the frontier doctor's favorite pastimes was attending western movies. He was amused by the phony cowboys, having patched-up real cowboys as a doctor in Dodge City.

Dr. Crumbine died in 1954 at age ninety-one, two months after his wife passed away. He was returned to Kansas from New York and buried beside his wife in the Mount Hope Cemetery in Topeka.



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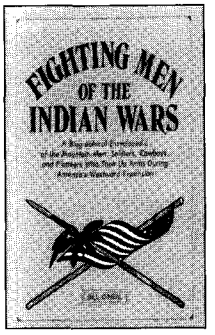

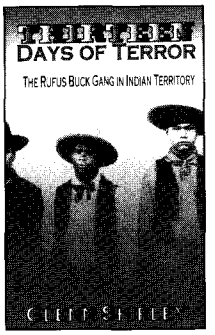

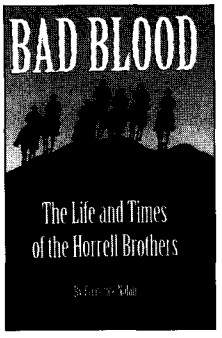

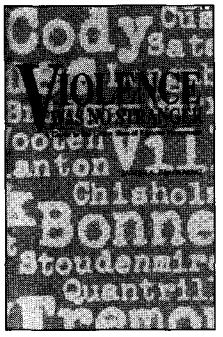

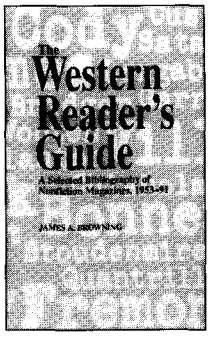

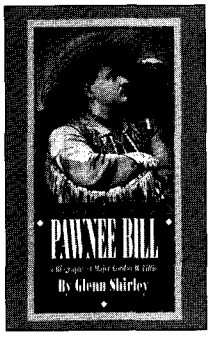

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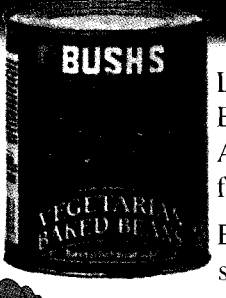

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